

JOURNAL

OF THE

CALLED SESSION OF

THE SENATE

OF THE

COMMONWEALTH OF KENTUCKY,

BEGUN AND HELD IN THE TOWN OF FRANKFORT, ON THURSDAY
THE SEVENTEENTH DAY OF JANUARY, IN THE YEAR OF
OUR LORD 1861, AND OF THE COMMONWEALTH
THE SIXTY-NINTH.

FRANKFORT:

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JOURNAL OF THE SENATE.

THURSDAY, JANUARY 17, 1861.

At a General Assembly, begun and held for the Commonwealth of Kentucky, at the Capitol, in the city of Frankfort, on Thursday, the 17th of January, 1861, (being the day designated and appointed by the proclamation of the Governor, issued on the 27th day of December, 1860,) a majority of the members elected to serve in the Senate appeared and took their seats. James Simpson, the member returned, to serve in this House, from the 27th Senatorial District, appeared, presented the certificate of his election, and having taken the oaths prescribed by the Constitution, took his seat.

Mr. Bruner offered the following resolution, viz:

Resolved, That a committee be appointed to inform the House of Representatives that the Senate has met, organized, and is ready for business.

Which was read and adopted.

Messrs. Bruner, Taylor, and Grundy, were appointed said committee, who retired, and in a short time appeared, and reported that they had discharged the duties assigned them, and were thereupon discharged.

A message was received from the House of Representatives, by the hands of Mr. Hitt, informing the Senate that the House of Representatives had effected its organization, was now ready to proceed to business, and had appointed a committee, to act in conjunction with a similar committee of the Senate, to inform the Governor that the Legislature had organized, and was now ready to proceed to the transaction of legislative business.

Mr. Prall offered the following resolution, viz:

Resolved, That the several ministers of the Gospel, residing in Frankfort, be invited by the Speaker to open the meetings of the Senate each morning with prayer.

Which was adopted.

Mr. Grover offered the following resolution, viz:

Resolved, That a committee of three, on the part of the Senate, to act with such committee as the House may direct, be appointed, to wait on the Governor, and inform him that the Legislature has convened, organized, and is ready to proceed to legislative business, and to receive any communication it may be his pleasure to make.

Which was adopted.

Messrs. Grover, Rhea, and Prall were appointed said committee, who retired, and in a short time appeared, and reported that they had discharged the duties assigned them, and were thereupon discharged.

Mr. Pennebaker offered the following resolution, viz:

Resolved, That William Pruett and Charles Campbell act as pages for the Senate for the present called session.

Which was adopted.

A message in writing was received from the Governor, by the hands of Hon. Thomas B. Monroe, jr., Secretary of State, which is as follows, viz:

Gentlemen of the Senate and House of Representatives:

When in March last the Legislature adjourned, and with kind remembrances of the winter's association you separated for your respective homes, I did not apprehend that alarming complication of our federative system which has rendered imperative upon me your convocation in extraordinary session. The Republic seemed then launched upon a career of limitless national prosperity, while its citizens enjoyed an aggregate of domestic and social happiness unequalled in the condition of any other people. Covering twenty-three degrees of latitude, and sixty degrees of longitude, our territory was nearly equal to that of all Europe, and embraced a soil of unsurpassed fertility, adapted by every pleasing variety of climate to all the products of the earth. Our commerce, sustained by an extended system of internal improvements reaching, through the media of turnpikes, railroads, canals, rivers, and inland seas, to the very heart of every section of the country, and finding its outlets upon the Atlantic and Pacific oceans, and upon the Gulf of Mexico, may be said to have commanded the markets of the world. The keels of our steamers plowed every ocean, and the seas and navigable streams of the most remote regions were whitened by the sails of our merchant vessels. Our people, numbering thirty millions of freemen of all nations and races, and realizing as the fruit of their industry, \$2,000,000,000 in annual productions; by their great and thriving cities; by their magnificent churches, school-houses, colleges, and charitable institutions; by their progress in agriculture and manufactures; by their advance in the arts and sciences, gave unmistakable evidence of a degree of internal prosperity not reached by the same number of people under any other form of government. In view of these great blessings and encouraging signs, the glorious results of less than a century's growth of the Republic, I had fondly hoped the union of the States would be perpetual, and did not doubt that the next cycle of fifty years would more than realize the poet's wildest dream.

With a heavy heart I turn to contemplate the present condition of our once happy country. At the very time when every industrial pursuit was yielding its highest remuneration, we have witnessed a stagnation in trade. The earth has responded with an abundant harvest to the enlightened cultivation of the agriculturalists; but while the crop awaits transportation to market, commerce is paralyzed, and the

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laws of exchange disordered. The business of the country was never in a more healthy condition, nor our people in the main more prosperous; yet credit is destroyed, confidence lost, and financial ruin imminent. These phenomena can only find their explanation in the troubled condition of our political affairs. We, the people of the United States, are no longer one people, united and friendly. The ties of fraternal love and concord, which once bound us together, are sundered. Though the Union of the States may, by the abstract reasoning of a class, be construed still to exist, it is really and practically, to an extent at least, fatally impaired. The confederacy is rapidly resolving into its original integral parts, and its late loyal members are intent upon contracting wholly new relations. Reluctant as we may be to realize the dread calamity, the great FACT OF REVOLUTION stares us in the face, *demands recognition*, and will not be theorized away. Nor is the worst yet told. We are not yet encouraged to hope that this revolution will be bloodless. A collision of arms has even now occurred between the Federal Government and the authorities of a late member of the Union, and the issue threatens to involve the whole country in fratricidal war. It is under these circumstances of peculiar gloom that you have been summoned. To your trust must now be committed, in great measure, the destinies of our beloved State, and upon you devolves the solemn responsibility of so wielding the accorded influence of Kentucky in this momentous crisis, as shall conserve the honor and happiness of our people and promote the good of all. I can only beseech you, by all you hold dear in this sad hour of our country's peril, to cast aside old party affiliations, and, looking facts full in the face as they actually exist, to address yourselves earnestly to the great work before you.

Our present unfortunate political complications are the legitimate scions of underlying causes against which all the great conservative statesmen of the age have solemnly warned their countrymen. A political organization based upon the one idea of hostility to the institution of African slavery, and embodying as one of its material elements of strength, an intolerant sectional fanaticism, has been for years steadily gathering power in the non-slaveholding States, and has at last exhibited national ascendancy in the election of Abraham Lincoln, its faithful exponent, to the Presidency of the United States. It is true that triumph was reached through all the forms of law, but it was effected by the agency of purely sectional votes, and rests upon sectional animosity. By virtue of that election, the Federal Government will be committed to the control of the Republican party, and administered upon a platform of principles destructive to our rightful equality as States and citizens, and fatal to the stability and security of our whole social organization.

Receiving the verdict pronounced on the 6th of November last as the deliberate expression of the sentiments of the citizens of the North, and as indicative of the settled purpose of the dominant party to administer the Government detrimentally to their vital interests, the people of several Southern States, immediately upon its announcement, initiated movements looking to the speedy severance of their relations with the other States and with the General Government. These move-

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ments progressed with startling rapidity, and were sustained by such unanimity of feeling in the several States as rendered all resistance idle and useless. Meantime patriotic efforts have not been wanting to effect an adjustment of the difficulties and restore the former friendly relations of the States; but I regret to say, to this hour with little hope of success,

My humble endeavors have been earnestly addressed to the work of bringing about a convention of the slaveholding States, believing that their united voice in demanding just and reasonable guarantees against the future invasion of their constitutional rights by the dominant power would achieve the object and reunite the States. Had such a movement been early initiated in the border States, I am assured it would have been favorably responded to by the whole South, in which event I firmly believe our embarrassments would ere this have presented fair prospect of adjustment. But the proposition met with limited favor here, was violently assailed, and the time passed. It is now too late. The revolution has progressed beyond that point.

Soon after the election of Mr. Lincoln, in order to place Kentucky, as far as I could, in her true position, and in answer to continued inquiries for my views, I addressed a letter to the Editor of the Kentucky Yeoman, which is herewith transmitted to you as embodying a more elaborate expression of my opinions.

On the 9th of December last, believing there was still a hope of bringing about united action on the part of the slaveholding States, I addressed a letter to the Governors of the Southern States, urging a conference with a view to an adjustment on the basis therein presented. That paper is herewith submitted to your consideration.

On the 27th of December the Hon. S. F. Hale, a commissioner from the State of Alabama, called upon me at the seat of Government and communicated to me in writing the purpose of his commission. I responded in writing, again urging the importance of conference by the slaveholding States, and still clinging to the hope that such action would elicit a patriotic response from the Northern people, if not from the Representative men of that section. That correspondence is also now transmitted to you.

A Commissioner from the State of Mississippi, Hon. Mr. Featherstone, also called upon me in December, on a similar mission. I gave him verbally the same response.

In Congress the efforts of the friends of the Union have not been more successful. Various propositions for adjustment have been made, and measures without number submitted to the Republican members for their approbation, as alternatives of a disruption of the Government. But a radical difference of principle was found to be an insurmountable obstacle to every proposed scheme. The recognition by the government of property in slaves, its inviolability in the States, and protection in the Territories, constituted the basis of the demands of the South. The Republicans maintain towards this principle an unyielding opposition. And herein lies the great impediment to all compromise. Parties resting upon principles so directly antagonistic can

not, without material concession, unite upon any measure involving the subject of difference.

Among other propositions of compromise offered, I beg to call your attention to the constitutional amendments proposed by our own distinguished Senator, the Hon. John J. Crittenden, and ask for them an expression of your approbation. While they do not secure to the slave States the full measure of their constitutional equality, I should be willing, in view of their practical value, to accept them rather than dissolution. Certainly these guarantees, asked by the resolutions of Mr. Crittenden, are the least security the South can with safety accept; and their distinguished author estimated aright the sentiment of our people when he expressed the opinion that Kentucky would not be content with less. But I regret to say that even these fair, just, and moderate demands have been sternly rejected by the dominant party. Insensible to the direful calamity impending over us, crazed by power or blinded by fanaticism, the representative men of the Republican party, leaders whose words control the opinions of millions of misguided disciples, voted in a body against every proposition embodied in the amendments moved by Mr. Crittenden. They have gone even further. They announce in the halls of Congress and through the press, in public places and in private circles, that they have no compromise to make, no concession to offer, and no assurances to give other than that the Federal Government will be administered by Mr. Lincoln in accordance with the principles of the Republican (Chicago) platform.

Thus firm in position, obstinate in spirit, and sullen in temper, the Republicans have thwarted every scheme devised to restrain the seceding States. Instead of retarding, their unsuccessful efforts at adjustment have rather precipitated disunion. The secession feeling has gathered strength every day, extended throughout the cotton and sugar-growing States, and is now encroaching upon those nearer the confines of the non-slaveholding sections. On the 20th of December, South Carolina, by the unanimous vote of a Convention of Delegates fresh from the people, passed an ordinance of secession, severing her relations with the United States, and reassuming her original sovereignty. On the — day of January, the State of Mississippi, by a vote of her people approaching unanimity, assumed a like position among the nations of the world. Alabama and Florida, a few days after, announced to the world similar action. Georgia, Louisiana, Arkansas, and Texas have unmistakably indicated their purpose to assume like independence.

It now seems inevitable, that before your deliberations will probably close, eight States will have withdrawn from the confederacy, and most probably will be in consultation touching the organization of a new Federative Government. It cannot be successfully responded in refutation of this presentation of facts, that the secession ordinances are nullities. I have no disposition at such a time to indulge a discussion touching the abstract questions which might be raised. We have to deal with facts as actually existing, and have no use for hair-splitting theories. I assume, that in a very few days eight States will have declared their sovereign independence, and that, to that extent at least, our Union will have ceased to exist, inasmuch as no power on

earth can coerce their unwilling allegiance to the Federal Government. In that contingency, now so imminent as to be almost a certainty upon which you may safely project your action, what attitude shall Kentucky assume, and by virtue of what authority shall her external relations be hereafter determined?

Kentucky will not submit to the degradation of inequality in the Union. Conscious of the will and ability of her citizens to maintain their honor, their rights, and freedom, she will protect them in the Union or out of it. Kentucky has to this hour borne herself with the dignity, the forbearance, and the moderation becoming her historic character. She has borne much, and will bear much for the cause of the Union. But in my opinion the people of Kentucky will never consent to remain in this confederacy, now abandoned by a large portion of the slaveholding members, with no guarantees of protection from the anti-slavery power now dominant. Kentucky will not and ought not to submit to the principles and policy avowed by the Republican party, but will resist, and resist to the death, if necessary.

But I recall the suggestive inquiry just put. In view of the partial disruption of the Union, the secession of eight or ten States, the establishment of a Southern Confederated Republic, and the administration of this Government upon the principles of the Chicago platform—a condition of our country most likely near at hand—what attitude will Kentucky hold, and by virtue of what authority shall her external relations be determined? Herein are involved issues of momentous consequence to the people. It is of vital importance to our own safety and domestic peace that these questions be solved in accordance with the will of the majority of our people. How have our neighboring States prepared to meet this emergency? Tennessee has, through the action of her Legislature, referred the whole subject to her people, to be passed upon in their sovereign capacity. Virginia and North Carolina are discussing the propriety of a similar course, and will most probably authorize the people, through sovereignty conventions, to dispose of questions so deeply and vitally concerning their interests. Missouri seems likely to adopt a similar policy. These States wisely recognize the fact that the country is in a state of revolution, and it seems to me there is an eminent propriety, at such a time, in a direct appeal to the people. The ordinary departments of the Government are vested with no power to conduct the State through such a revolution. Any attempt by either of these departments to change our present external relations, would involve a usurpation of power, and might not command that confidence and secure the unanimity so essential to our internal safety. Thus encompassed by embarrassment, complication, and doubt, assailed by a diversity of counsels, and encountering much variety of opinion, it seems to me that the wisest, as certainly the safest mode of meeting the extraordinary emergency, is to adopt the course pursued by our neighboring States, and refer these great questions to the arbitrament of the people, whose happiness and destinies they so deeply affect. We should in this mode secure unity among ourselves, and attract the cordial loyalty of all our citizens to Kentucky wherever she may cast her lot. I therefore submit to your

consideration the propriety of providing for the election of delegates to a convention, to be assembled at an early day, to whom shall be referred, for full and final determination, the future Federal and inter-State relations of Kentucky.

Meantime I would leave no expedient untried which promises, however faintly, the restoration of fraternal relations between the States, and offers even remote hope of again reuniting the members and rescuing the Union from its present peril. We seem to be drifting in a gale upon the rocks of disunion. Let us make one more, one united, one last effort to save the old ship. Although she has never encountered such a tempest, she has weathered many fearful storms. Anchor after anchor has been thrown out to save her, but she still drifts before the swelling waves upon the fearful breakers—hull and cabin and deck are creaking and cracking, and every joint and bolt and timber is strained to its utmost tension. There should be no divided counsels now. Let us throw overboard former jealousies, past party affiliations, passions, and personal ambition. Let us make one more effort to save her all together; and if she is lost, let us cling to the noble wreck, and reconstruct the vessel from the staunch old timbers of the Constitution. There is hope that an adjustment, honorable to all, may be effected through the action of the border slave States, including Tennessee and North Carolina. Their approval of the amendments to the constitution proposed by Senator Crittenden, with security for their future observance, presented to Congress, to the free States in legislative session, and to the people if practicable, as an ultimatum, may yet secure the guarantees we require, and possibly in the end bring back all the States in one Union. To this last effort a convention of these States is necessary. I would, therefore, recommend to you the adoption of resolutions inviting a conference of these States, and of such others as may choose to co-operate, at Baltimore, for an early day in February. It will then devolve upon you to provide for the appointment of Commissioners to represent Kentucky. The conjoint declaration of these States against coercion might do much to avert impending war. Their united co-operation in any event, would materially promote their future safety and peace.

The relations of the Federal Government with the seceding States have occasioned the most anxious solicitude with those who have at heart the peace and tranquility of the country. I had hoped that when the secession movement or the revolution, had assumed its present aspect, when four sovereign States, by the almost unanimous vote of their people, had announced their purpose to close their past federal relations, and likely soon to be joined by four others, there would be found none so mad, none so blind to the dire results, as to advise or countenance the employment of military force in futile resistance to their action. Such a proposition, whether it be called plainly coercion and subjugation, or be disguised under the specious phrases of "enforcing the laws" and "protecting public property," means civil war, and war of the most frightful and abhorrent character. I can but regard the action of the Federal Government in refusing to recognize the fact of secession, and its proposed attempt to

maintain the supremacy of its laws within the borders of the seceding States, as a policy more utterly barren of good result, and more certainly fraught with calamity, than any step yet taken in the drama. This government stands upon the consent of the governed: its internal strength springs from the voluntary allegiance of the citizens; it is sustained by the common affection, the mutual confidence, and fraternal feelings of the people. It cannot be held together by force, and the attempt so to sustain it will not only fail, and fail in blood, but will destroy the last hope of reconstruction. Kentucky cannot and will not be an indifferent observer of the "force policy." The seceding States have not in their hasty and inconsiderate action our approval; but their cause is our rights, and they have our sympathies. The people of Kentucky will never stand by with arms folded while those States struggling for their constitutional rights and resisting oppression are being subjugated to an anti-slavery Government. Thousands of our gallant citizens would fly to the conflict. Moreover, the idea of coercion, when applied to great political communities, is revolting to a free people, contrary to the spirit of our institutions, and if successfully prosecuted, would endanger the liberties of the people. I cannot believe that these threats of coercion, nor these denunciations of treason against the people of the South, coming as they do from men who have for years habitually violated the Constitution, elicit any sympathy in the hearts of Kentuckians, no matter what may be their opinions touching the abstract right or present policy of secession. I trust, therefore, you will at once declare by resolution the unconditional disapprobation of Kentucky of the employment of force in any form against the seceding States.

It becomes my duty to call your attention to another subject, if possible, affecting more nearly the safety of our people, the importance of which is suggested by the political complications hereinbefore presented. I allude to the subject of our State military organization. I have the gratification to communicate to you that, under the admirably drawn and well adapted "Militia Law" enacted by you at your regular session in March last, an organization of companies, battalions, and regiments has been effected, than which I can recommend none more reliable and efficient. Copies of this law have been sought for by those having in charge the military organizations of other States, and it now constitutes the basis of the system in more than one State. I was peculiarly fortunate in securing the services of Gen. S. B. Buckner, a native Kentuckian, in the responsible position of Inspector General. He has brought to the position an amount of experience, ability, and patriotic labor, to which I attribute, in a great measure, the present highly encouraging condition of the corps. His report, giving full information on the subject, will be communicated to you, and to it your attention is invited. Our people seem thoroughly aroused to the importance of a thorough and effective military corps, sufficient for any and all emergencies. You will readily perceive the necessity of extending them all proper aid and encouragement.

An appropriation of money for the purpose of more efficiently arm-

ing, equipping, uniforming, and providing munitions of war for this corps of volunteer soldiers, now constituting the main defense of our people, will be regarded by you as among your first and most imperative duties. No man can foresee the issue of our present political troubles. It becomes our duty to prepare for the worst, and look carefully to the security and safety of our citizens. But this subject is of such manifest importance as to need no argument from me. I refer to the report of the Inspector General for full information touching the condition of our military defenses at this time, and the further provision needed.

Accompanying the message you have a statement from the Auditor, showing the financial condition of the State on the 15th day of this month. I have caused this exhibit to be made, that you may understand the necessity of providing for a revenue sufficient to meet the extraordinary expenditures likely to become unavoidable.

While I would appreciate your disinclination to permit your attention to be diverted at this time from the grave subjects already presented, by any matters of ordinary legislation, I cannot forego the mention to you of a calamity which, since your last adjournment, has withdrawn from a large number of unfortunates the munificent provision made for them by the State. On the _____ day of _____ last the large building devoted to the care of the insane at Hopkinsville was completely destroyed by fire. Fortunately the calamity was attended with little loss of life, but the inmates were subjected to no small discomfort. The report of the commissioners, giving full information on the subject, will, in a few days, be submitted to you. You will see the necessity of rebuilding the asylum and providing for the comfort and support of the patients. No matter how pressed by the burdens of government, the people of Kentucky will never complain of taxation when levied for the support of the unfortunate insane.

Since your last adjournment, a controversy has arisen between this State and the State of Ohio, touching the rendition of a fugitive from the justice of the laws of Kentucky, escaped into Ohio. The questions arising in the controversy are novel and interesting, and of a character affecting very nearly the rights of our State, and the security of the citizens. The facts will appear from the correspondence between the Governor of Ohio and myself, to which you are referred. On the 23d of December, at my direction, a petition was filed in the Supreme Court of the United States, praying a mandamus or a rule to show cause, directed to the Governor of Ohio, the argument of which, I am advised, will be heard on the 8th of February. I have employed learned and competent counsel, who will guard well and ably the interests of the State. An appropriation of \$____ will be necessary to meet the cost and necessary expenses of the case.

Feeling, in this day of our country's trial and calamity, the necessity of Divine assistance, invoking His aid in shaping your deliberations and beseeching His blessing upon your efforts to save the country, I will take pleasure in co-operating with you in any just measures calculated to bring about this result.

B. MAGOFFIN.

APPENDIX TO THE GOVERNOR'S MESSAGE.

FRANKFORT, KENTUCKY, }
November 16, 1860. }

S. I. M. MAJOR, Esq., *Editor of Yeoman:*

DEAR SIR: I am asked by a number of friends, yourself one of them, and have received letters from various parts of the State, all of the same tenor, inquiring of me, *what will Kentucky do, and what ought she to do, now that Lincoln is elected?* I will frankly give you my opinion. I believe she will adhere firmly to her principles. We are defeated, but not conquered. We are beaten, but not dismayed. Kentucky will stand by the positions upon which I was elected in August, 1859. She will stand by the equality and the rights of the States, and the equality and the rights of the people in the States. She will stand by the repeal of the Missouri compromise, by the Dred Scott decision, and by the enforcement of the fugitive slave law. She will stand by every right she has under the Constitution of the United States. She will demand that slavery shall not be interfered with wherever it exists under the Constitution of the United States, and under the laws and Constitutions of the separate States. She will demand that slavery shall not be abolished in the District of Columbia, or wherever it now exists in the Union, and that the slave trade between the States shall not be interfered with by Congress. She will demand her equal rights in all the Territories of this government. She will stand by the position that slave property in the Territories is entitled to the same protection with other property therein, and that no discriminations can be made by the Territorial Legislatures against that property, so as to exclude it directly, or to impair the right of the owners to it, or by unfriendly legislation to render it valueless. She will demand that whenever the people of a Territory having sufficient population shall form a State Constitution, with or without slavery in it, and ask of Congress admission as a State into the Union, she shall be admitted, provided her constitution is Republican in form. She will keep her present status upon the slavery question, believing the laws, the constitution, and the courts afford her adequate protection. She will stand immovably upon the Democratic platform adopted last winter at Frankfort, and upon the one adopted last summer at Baltimore, upon which her noble and gifted son has just been defeated. Entrenched in this position behind the decisions of the Supreme Court of the United States, her rallying cry will be, her rights and her equality in the Union. She will ask nothing she will not concede to her sister States. She wants all her rights under the constitution, and she will neither give up nor compromise a single one of them. She will show

her devotion to the Union by standing steadfastly by these, the only principles upon which it can be preserved. She will be, as she has ever been, firm, wise, moderate, and just, and whenever a dominant, reckless, sectional majority, disregarding the idea of her equality, forgetting that the government was made to protect the weak against the strong, and to protect persons, property, and the rights of the States, shall turn it into an engine of oppression instead of protection, by trampling upon her rights, she knows her duty, and she will do it. She will appeal to the ballot-box, to the reason, to the justice, and to the patriotism of Congress, of the States, and of the people everywhere; and when everything fails, doubly fortified in her impregnable position, she will calmly and resolutely look the danger in the face, and no matter what the odds may be against her, she will then appeal to the God of battles, and with the constitution in one hand and the sword in the other, and under the flag of the Union, her noble and gallant sons will prove themselves worthy of the glorious heroes from whom they sprung, by striking for their homes and their firesides—for their altars and their rights—for their liberties and the freedom of their children—for the Union under the compact of the constitution—and he who would not do it is a coward and a slave.

I agree with you, that the election of Mr. Lincoln is no cause for secession or rebellion. It is not so regarded by the people of the States. It is true he has been elected by a sectional party, upon sectional ideas, with a reckless sectional hostility to an institution the South will not surrender. The people of the slave States and a large minority of true men in the free States, no matter whether they were the supporters of Mr. Breckinridge, Mr. Bell, or Mr. Douglas, took the ground that if he were elected, and he attempted to carry out his principles and purposes, it would dissolve the Union. Kentucky says, after the election, in my judgment, what all parties here declared before, and that is, she will not submit to the carrying out of his principles. The fathers of the Republic, with General Washington at the head, have warned us against the formation and success of a sectional party as the only danger to the liberties of the people or to the safety of the confederacy. The Republicans have paid no attention to these warnings, but blindly, madly, without regard to consequences, they have declared this government could not exist as part free and part slave, but must be all free. It matters little whether we have to give up our slave property, or whether our children will be compelled to do it. They have made their threats that they intend to deprive us of it sooner or later, and in the free States, as far as they dare or had the power, they have put their threats into execution. They have passed laws in thirteen of the free States, I believe, which prohibit the execution of the fugitive slave law, and have set at naught the Constitution of the United States. Six of these States, New York and Pennsylvania included, deny to the owners of slaves, or to the officers of the government, their jails or public buildings for the protection of this property. Seven of them, including also New York and Pennsylvania, provide defense for fugitive slaves. Many of them declare the slaves free if their owners bring them there; and one State—New Hampshire—

declares him absolutely free. Nine of the free States have imposed penalties of imprisonment, and fines of from \$1,000 to \$5,000 on the officers or persons who may aid in enforcing the laws which have been passed by Congress, and declared to be constitutional by the Supreme Court of the United States. The Legislatures of these States, and the courts of many of them which have passed upon their action, have openly, insultingly, boldly, and defiantly nullified the laws of Congress and the decisions of the Supreme Court. There is no theoretical, but practical disunion in this.

Is it not time all this was arrested? Is it not time we had an *understanding* as to their future action, if we do not intend to be robbed of our slave property? All over the border States they have their agents and emissaries, and many in the other slave States, engaged in stealing and running off our slaves. They avow they will neither give them up when they succeed in getting into the free States, nor will they deliver up the men who steal them. They have elected a man who has avowed, if he did not originate, the doctrine of the irrepressible conflict, and that the States must be all free. He and his party affirm in the most solemn manner they will execute their purposes, so soon as they have the power. They say Mr. Lincoln is a firm and an honest man; and if so, he intends to carry out his principles. The slave States have over four and a half millions of slaves. Kentucky has over \$170,000,000 in slave property. She is losing at the rate of over \$200,000 per annum of that property. When I stated, in my annual message to the Legislature, the loss was \$100,000, few believed it. I have reliable information it is double that sum, and will soon be again doubled, if not in some way arrested. That property, more than one third of all we possess, guaranteed to us by the Constitution of the United States and our laws, worked for, acquired, and left to us by our fathers—that property we are working for, and wish to leave to our children, will soon be rendered valueless, and Kentucky become a free State, if these principles and purposes are carried out. Yet with all these grievances, while no slave State has nullified a law of Congress, or refused a right to a free State under the Constitution—with all this loss of property by Kentucky—with the further fact staring us in the face that the State of Ohio has violated a great constitutional right of the State of Kentucky, in refusing to deliver up upon my demand a fugitive from our State who has been indicted for stealing our slaves—with all these facts and outrages hard to be borne, I would say that the mere election of Lincoln is not sufficient cause for secession or rebellion. He is elected under the forms and according to the Constitution of the United States. We would say to our sister States of the South, we have more cause of grievance than all of the cotton States put together, occupying, as we do, over seven hundred miles of border line. Look at our exposed position—the constant tampering with our negroes by the Abolitionists—the immense annual loss we sustain—the direct infringement of our rights in refusing to execute the fugitive slave law, and in the robbery of our property—in the danger to the lives of the owners when they go to the free States to recapture their slaves—in the insults and taunts and injuries to the Federal officers who attempt

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to do their sworn duty in executing the fugitive slave law, as in the recent mob in Ohio, and in the case of Boothe of Wisconsin—in the wholesale stealing every day going on of our negroes, and the refusal of the people and Governors to deliver up either the property or the thieves: all this, and much more, we complain of, and don't intend to submit to; but we cannot justify you in breaking up the government and going out of the Union on account of the election of a man upon a bad platform, and the worst political principles and purposes.

We say to you and to the Republicans, we stand here as pacifiers, as arbitrators. We entreat you of the South not to take this rash step; and to you of the North we say, calmly, but fearlessly and firmly, without threats, you must not encroach upon our constitutional rights as expounded by the highest and purest tribunal in the land. You must stay your arm of fanaticism, of passion, of vengeance, of violence, and of power, for we are resolved to resist unto death any violation of our rights under the Constitution. We will resist aggressions; we will defend the Union under the flag of our fathers, following in their footsteps, and encouraged by their example, no matter what the odds may be against us. Mr. Lincoln has been elected according to all the forms of law under that Constitution which we revere and regard as the depository of our rights and the shield of our safety; and notwithstanding his threats and the danger of carrying out his principles, *he may not do it.* We must wait for an overt act, hoping that truth and reason and justice, embodied in a clear, an impartial delineation of our rights under the Constitution, as expounded by the Supreme Court of the United States, will yet prevent it. A madman or a bad man may stand in the highway adjoining my premises, and he may threaten to burn my house or rob me of my property, and yet I may treat him as a blusterer who would not execute the threat. When he makes the attempt—when he actually crosses my fence and advances upon my property to execute the threat—then will it be time enough, and then will I be justified in shooting down the villain. Let us reason with the Republicans still further; let us remonstrate more earnestly, firmly, and unitedly; let us at all events wait for the overt act, and then Kentucky can and will join her sister slave States. This, it seems to me, is the course of moderation and prudence and wisdom; certainly so, because neither Mr. Lincoln nor his party can pass any law, if the Opposition remain true, that will violate our rights. He can't even get an appropriation bill through Congress to carry on the government. He can't appoint his Cabinet officers who may be offensive to the Democratic party and to the slave States. He can do nothing, with the present House of Representatives and Senate, backed by the Supreme Court, to violate our rights. *Let the anti-Republican members of the Opposition firmly resolve not to discuss the question of slavery any more, and when the Republicans have done let them vote down their measures and proceed to business upon the other important interests of the country.* The question has been discussed too much already, and let them resolve they will discuss it no more. It only produces discord,

strife, criminations and recriminations, and sunders all those fraternal ties, socially, politically, and religiously, which bind us together.

I have hope yet, when passion cools and reason resumes its throne, that the North may be brought to see they have as deep a stake in preserving slavery at the South, and the rights of the slave States, as we have. They cannot do without our cotton and sugar, and rice and tobacco, and other staples; and whenever the fanaticism of the people, who have no motive to act but for their own good and the safety of the Republic, shall see this, as see it they will, sooner or later, they will refuse to follow the lead of ambitious, reckless, dangerous, and talented demagogues who are willing to risk fortune, honor, life, and country to gain place and power. They will see that it is not only to their own interest to keep the negro in bondage, but it is to the interest of the slave—that *he is morally, socially, and religiously a better and a happier man than he could be in any other condition.* As a slave, an active, efficient agent in doing great good, as we have him in the slave States; but as a free man, a worthless vagabond, idle, dissipated, miserable—a nuisance and a curse, as they have him in the free States, and are compelled to pass laws to prevent his residence among them. They may see we have other great interests in this country which ought to engage a fair proportion of the time of Congress. Reason and truth and patriotism may yet prevail. Let us hope—hope on and ever, in the absence of an overt act, or until there is no hope for the Union of these States. Great God, let us do nothing! We who have been and are in the right, let us keep in the right, and do nothing to break up this great government. Let us stand upon the right, submitting to nothing wrong. Firmly, unwaveringly, and all together, let us stand upon our constitutional rights, with an unfaltering purpose to make no more concessions—to submit to no more compromises, and to resent at once, and to the last extremity, any violation of our rights.

To the States which propose to secede we would say, in addition to what we have said, you should not desert us. We are a border State; we have the brunt of the battle; we have more grievances than all of you; we have suffered more wrongs, but we had more forbearance. Even now we have a practical question. It is a wicked, willful, wanton violation of our rights, which lies at the foundation of our Government, and involves the very existence of slavery in Kentucky. It is no abstraction—no Kansas question—no territorial question—but an open, direct violation of our constitutional rights. We don't intend to submit to it. I have demanded of Gov. Dennison, of Ohio, a fugitive now under indictment for stealing our slaves. He has refused to deliver him up.

He and the Republican party of Ohio, and I believe of the whole Union, all concede that the Government could not have been formed but upon the idea that each State must be permitted to regulate its domestic affairs to suit itself, and that unless this idea is fully carried out between the States in their intercourse, the Union is at an end. Yet he refuses to deliver up this fugitive now under indictment in our courts for stealing our negro property, upon the ground, among other reasons, that *the laws of Ohio do not regard it as a felony to steal a slave.*

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Our laws and constitution, and the constitution of the United States, do recognize negroes as property. They are recognized as such by the Supreme Court of the United States. It has declared it to be a felony to steal a slave, and we will not submit to this violation of our constitutional rights. It is a great practical question now pending between Kentucky and Ohio, and it will test the fact whether or not the Republicans intend to carry out their purposes. I told you on the stump last summer, that I would surrender no constitutional right Kentucky had. This is one of them. If we would surrender this one, it will encourage to wrest from us another and another, until stripped of our rights, our honor, our inheritance, and our manhood, we will have neither the spirit, nor the courage, nor the power to resist.

I shall take this violated right to the courts for the remedy. Failing there, I would take it to Congress, as there is an anti-Republican Congress, and if they give the remedy, Mr. Lincoln will be called on to sign or veto the bill. We will test the question where we have rights whether or not we have remedies. We will test the question whether or not our rights are to be respected under the laws and the decisions of the Supreme Court of the United States. Failing there, I shall tell the people of Kentucky, in the last resort: Here is your violated right. I have done all I can do to obtain the remedy. You are a State's rights people, and now, falling back upon your reserved rights, I will advise such action as I am sure you will take.

To South Carolina, and such other States who may wish to secede from the Union, I would say, the geography of this country will not admit of a division—the mouth and sources of the Mississippi river cannot be separated without the horrors of civil war—we cannot sustain you in this movement merely on account of the election of Lincoln. Do not precipitate us by premature action into a revolution or civil war, the consequences of which will be the most frightful to all of us. It may yet be avoided. There is still hope, faint though it be. Kentucky is a border State, and has suffered more than all of you. She claims that, standing upon the same sound platform, you will sympathize with her, and stand by her, and not desert her in her exposed perilous border position. She has a right to claim that her voice, and the voice of reason and moderation and patriotism, shall be heard and heeded by you. If you secede, your Representatives will go out of Congress, and leave us at the mercy of a Black Republican Government. Mr. Lincoln will have no check. He can appoint his cabinet and have it confirmed. The Congress will then be Republican, and he will be able to pass such laws as he may suggest. The Supreme Court will be powerless to protect us. We implore you to stand by us, and by our friends in the free States, and let us all, *the bold, and true, and just men in the free and the slave States*, with a united front stand by each other, by our principles, by our rights, our equality, our honor, and by the Union under the Constitution. I believe this is the only way to save it, and we can do it.

As it is, a majority of the people are against Mr. Lincoln, although he has been elected. The majority in Congress is against him and

his principles. He is in their power, and they would fully represent a majority of the people of the United States, if they would exercise that power in such a manner as to obtain assurances and guarantees that our rights under the Constitution should be respected and preserved. This is what you want and what we want. In this way, we may accomplish it, the Union may be preserved, and we may go on to prosper in the future as we have done in the past. By seceding, by leaving the halls of Congress, by deserting your posts and us now, the government will be broken up, civil war may follow, and God only knows what will be the end. It may yet be averted in some way by not taking this premature step, and we appeal to you by all these considerations, by all the sacred memories which brought the government into existence, and all the ties which should be preserved and strengthened to keep us together as one people—by the battle-fields of the revolution—by the achievements and the blood and the sacrifices and sufferings of the illustrious dead—the martyrs of freedom who died to give us the liberty we now enjoy—by our unparalleled prosperity and progress as a nation—by our commanding position abroad, and, if we continue to be united, our powerful position at home—by all the mortification, ruin, and misery that would attend a failure of our government—by every consideration that should influence an aggrieved, a just, an intelligent, a loyal, a brave, a patriotic, and magnanimous people, to stand by us, by your rights, by the Constitution, and by the Union under the Constitution, in this hour of its greatest danger since it came into existence. Let passion be allayed; let reason assume its throne; let moderation, forbearance, and wisdom guide our counsels, and the country may yet be saved. In any contingency, we believe this government was formed in friendship, affection, and mutual confidence and common interests, and whenever these ties are indissolubly sundered, it is idle to attempt to keep it together by force.

In conclusion, I would say, Kentucky will watch the progress of events, in my opinion, in view of all the tremendous responsibilities that devolve upon her, and take her position calmly, fearlessly, wisely, with her whole heart beating for the Union, and her whole soul overflowing with patriotism and loyalty to that Union under the compact of the Constitution, determined to be just to all sections of this blood-bought confederacy, now the last, best, and brightest hope of freemen and mankind, and with the most perfect confidence when the dread hour of trial comes, if come it must, she has the will, the spirit, the courage, the patriotism, and the manhood, and the ability to defend her inheritance, her honor, and her rights, which have been guaranteed to her by the Constitution of the United States.

Respectfully, your friend and obedient servant,

B. MAGOFFIN.

COMMONWEALTH OF KENTUCKY,
Executive Department,
 Frankfort, December 9, 1860.)

To his Excellency, the Governor of the State of

Entertaining the opinion that some movement should be instituted at the earliest possible moment, to arrest the progress of events which seem to be rapidly hurrying the Government of the Union to dismemberment, as an initiatory step, I have, with great diffidence, concluded to submit to the Governors of the slave States a series of propositions, and ask their counsel and co-operation in bringing about a settlement upon them as a basis. Should the propositions be approved, they can be submitted to the assembling Legislatures and Conventions of the slave States, and a Convention of all of said States, or of those only approving, be called to pass upon them, and ask a general Convention of all the States of the Union that may be disposed to meet us on this basis for a full conference. The present good to be accomplished would be to arrest the secession movement, until the question as to whether the Union can be preserved upon fair and honorable terms, can be fully tested. If there be a basis for the adjustment of our difficulties within the Union, nothing should be left undone in order to its development. To this end, it seems to me there should be a conference of the States in some form, and it appears to me the form above suggested would be most effective. I, therefore, as the Governor of a State having as deep a stake in the perpetuity of the Union, and at the same time as much solicitude for the maintenance of the institution of slavery as any other, would respectfully beg leave to submit for your consideration the following outline of propositions:

1st. Repeal, by an amendment of the Constitution of the United States, all laws in the free States in any degree nullifying or obstructing the execution of the fugitive slave law.

2d. Amendments to said law to enforce its thorough execution in all the free States, providing compensation to the owner of the slave from the State which fails to deliver him up under the requirements of the law, or throws obstructions in the way of his recovery.

3d. The passage of a law by Congress, compelling the Governors of the free States to return fugitives from justice, indicted by a grand jury in another State, for stealing or enticing away a slave.

4th. To amend the Constitution so as to divide all the Territories now belonging to the United States, or hereafter to be acquired, between the free and the slave States, say upon the line of the 37th degree of north latitude—all north of that line to come into the Union with requisite population as free States, and all south of the same to come in as slave States.

5th. To amend the Constitution so as to guarantee forever to all the States the free navigation of the Mississippi river.

6th. To alter the Constitution so as to give the South the power, say in the United States Senate, to protect itself from unconstitutional and oppressive legislation upon the subject of slavery.

Respectfully, your obedient servant,

B. MAGOFFIN.

CORRESPONDENCE BETWEEN THE COMMISSIONER FROM ALABAMA AND GOVERNOR OF KENTUCKY.

To his Excellency B. MAGOFFIN,

Governor of the Commonwealth of Kentucky:

I have the honor of placing in your hands, herewith, a commission from the Governor of the State of Alabama, accrediting me as a Commissioner from that State, to the sovereign State of Kentucky, to consult in reference to the momentous issues now pending between the Northern and Southern States of this Confederacy. Although each State, as a sovereign political community, must finally determine these grave issues for itself, yet the identity of interest, sympathy, and institutions prevailing alike in all the slaveholding States, in the opinion of Alabama, renders it proper that there should be a frank and friendly consultation by each one with her sister Southern States, touching their common grievances, and the measures necessary to be adopted to protect the interest, honor, and safety of their citizens.

I come, then, in a spirit of fraternity, as the Commissioner on the part of the State of Alabama, to confer with the authorities of this Commonwealth, in reference to the infraction of our constitutional rights, wrongs done and threatened to be done, as well as the mode and measure of redress proper to be adopted by the sovereign States aggrieved, to preserve their sovereignty, vindicate their rights, and protect their citizens.

In order to a clear understanding of the appropriate remedy, it may be proper to consider the rights and duties both of the State and citizen under the federal compact, as well as the wrongs done and threatened.

I therefore submit for the consideration of your Excellency, the following propositions, which I hope will command your assent and approval:

1. The people are the source of all political power, and the primary object of all good governments is to protect the citizen in the enjoyment of life, liberty, and property; and whenever any form of government becomes destructive of these ends, it is the inalienable right, and the duty of the people, to alter, or abolish it.

2. The equality of all the States of this Confederacy, as well as the equality of rights of all the citizens of the respective States under the Federal Constitution, is a fundamental principle in the scheme of the Federal Government. The union of these States under the Constitution was formed "to establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to her citizens and their posterity," and when it is perverted to the destruction of the equality of the States, or substantially fails to accomplish these ends, it fails to achieve the purposes of its creation, and ought to be dissolved.

3. The Federal Government results from a compact entered into between separate sovereign and independent States, called the Constitution of the United States, and amendments thereto, by which these sovereign States delegated certain specific powers to be used by that government, for the common defense and general welfare of all the

States and their citizens; and when these powers are abused, or used for the destruction of the rights of any State or its citizens, each State has an equal right to judge for itself, as well of the violations and infractions of that instrument, as of the mode and measure of redress; and if the interest or safety of her citizens demands it, may resume the powers she had delegated, without let or hindrance from the Federal Government, or any other power on earth.

4. Each State is bound in good faith to observe and keep on her part all the stipulations and covenants inserted for the benefit of other States in the constitutional compact—the only bond of Union by which the several States are bound together; and when persistently violated by one party to the prejudice of her sister States, ceases to be obligatory on the States so aggrieved, and they may rightfully declare the compact broken, the Union thereby formed dissolved, and stand upon their original rights, as sovereign and independent political communities; and further, that each citizen owes his primary allegiance to the State in which he resides, and hence it is the imperative duty of the State to protect him in the enjoyment of all his constitutional rights, and see to it that they are not denied or withheld from him with impunity by any other State or government.

If the foregoing propositions correctly indicate the objects of this government, the rights and duties of the citizen, as well as the rights, powers, and duties of the State and Federal Government under the Constitution, the next inquiry is, what rights have been denied, what wrongs have been done, or threatened to be done, of which the Southern States or the people of the Southern States can complain?

At the time of the adoption of the Federal Constitution African slavery existed in twelve of the thirteen States. Slaves are recognized both as property, and as a basis of political power, by the Federal compact, and special provisions are made by that instrument for their protection as property. Under the influences of climate and other causes, slavery has been banished from the Northern States, the slaves themselves have been sent to the Southern States, and there sold, and their price gone into the pockets of their former owners at the North. And in the meantime African slavery has not only become one of the fixed domestic institutions of the Southern States, but forms an important element of their political power, and constitutes the most valuable species of their property—worth, according to recent estimates, not less than four thousand millions of dollars—forming, in fact, the basis upon which rests the prosperity and wealth of most of these States, and supplying the commerce of the world with its richest freights, and furnishing the manufactoryes of two continents with the raw material and their operatives with bread. It is upon this gigantic interest—this peculiar institution of the South—that the Northern States and their people have been waging an unrelenting and fanatical war for the last quarter of a century.

An institution with which is bound up, not only the wealth and prosperity of the Southern people, but their very existence as a political community. This war has been waged in every way that human ingenuity, urged on by fanaticism, could suggest. They attack

us through their literature, in their schools, from the hustings, in their legislative halls, through the public press, and even their courts of justice forget the purity of their judicial ermine, to strike down the rights of the Southern slaveholder, and override every barrier which the constitution has erected for his protection; and the sacred desk is desecrated to this unholy crusade against our lives, our property, and the constitutional rights guaranteed to us by the compact of our fathers. During all this time, the Southern States have freely conceded to the Northern States, and the people of those States, every right secured to them by the constitution, and an equal interest in the common Territories of the government; protected the lives and property of their citizens of every kind when brought within Southern jurisdiction; enforced through their courts, when necessary, every law of Congress passed for the protection of Northern property, and submitted ever since the foundation of the government, with scarcely a murmur, to the protection of their shipping, manufacturing, and commercial interest, by odious bounties, discriminating tariffs, and unjust navigation laws, passed by the Federal Government to the prejudice and injury of their own citizens.

The law of Congress for the rendition of fugitive slaves, passed in pursuance of an express provision of the constitution, remains almost a dead letter upon the statute book. A majority of the Northern States through their legislative enactments, have openly nullified it, and impose heavy fines and penalties upon all persons who aid in enforcing this law; and some of those States declare the Southern slaveholder who goes within their jurisdiction to assert his legal rights under the constitution, guilty of a high crime, and affix imprisonment in the penitentiary as the penalty. The Federal officers who attempt to discharge their duties under the law, as well as the owner of the slave, are set upon by mobs, and are fortunate if they escape without serious injury to life or limb; and the State authorities, instead of aiding in the enforcement of this law, refuse the use of their jails, and by every means which unprincipled fanaticism can devise, give countenance to the mob, and aid the fugitive to escape. Thus there are annually large amounts of property actually stolen away from the Southern States, harbored and protected in Northern States, and by their citizens. And when a requisition is made for the thief by the Governor of a Southern State upon the Executive of a Northern State, in pursuance of the express provisions of the Federal Constitution, he is insultingly told that the felon has committed no crime, and thus the criminal escapes, the property of the citizen is lost, the sovereignty of the State is insulted, and there is no redress. For the Federal courts have no jurisdiction to award a mandamus to the Governor of a sovereign State, to compel him to do an official executive act, and Congress, if disposed, under the constitution has no power to afford a remedy. These are wrongs under which the Southern people have long suffered, and to which they have patiently submitted, in the hope that a returning sense of justice would prompt the people of the Northern States to discharge their constitutional obligations, and save our common country. Recent events, however, have not

justified their hopes; the more daring and restless fanatics having banded themselves together, have put in practice the terrible lessons taught by the timid, by making an armed incursion upon the sovereign State of Virginia, slaughtering her citizens, for the purpose of exciting a servile insurrection among her slave population, and arming them for the destruction of their own masters. During the past summer the Abolition incendiary has lit up the prairies of Texas, fired the dwellings of the inhabitants, burnt down whole towns, and laid poison for her citizens, thus literally executing the terrible denunciations of fanaticism against the slaveholder—"Alarm to their sleep; fire to their dwellings, and poison to their food."

The same fell spirit, like an unchained demon, has for years swept over the plains of Kansas, leaving death, desolation, and ruin in its track. Nor is this the mere ebullition of a few half crazy fanatics; as is abundantly apparent, from the sympathy manifested all over the North; where, in many places, the tragic death of John Brown, the leader of the raid upon Virginia, who died upon the gallows a condemned felon, is celebrated with public honors, and his name canonized as a martyr to liberty; and many, even of the more conservative papers of the Black Republican school, were accustomed to speak of his murderous attack upon the lives of the unsuspecting citizens of Virginia, in a half sneering and half apologetic tone. And what has the Federal Government done in the meantime to protect slave property upon the common Territories of the Union? Whilst a whole squadron of the American navy is maintained on the coast of Africa, at an enormous expense, to enforce the execution of the laws against the slave trade—and properly too—and the whole navy is kept afloat to protect the lives and property of American citizens upon the high seas—not a law has been passed by Congress, or an arm raised by the Federal Government, to protect the slave property of citizens from Southern States, upon the soil of Kansas—the common territory and common property of the citizens of all the States—purchased alike by their common treasure, and held by the Federal Government, as declared by the Supreme Court of the United States, as the trustee for all their citizens; but, upon the contrary, a Territorial government, created by Congress, and supported out of the common treasury, under the influence and control of Emigrant Aid Societies and Abolition emissaries, is permitted to pass laws excluding and destroying all that species of property within her limits; thus ignoring, on the part of the Federal Government, one of the fundamental principles of all good governments—the duty to protect the property of the citizen, and wholly refusing to maintain the equal rights of the States and the citizens of the States upon their common Territories.

As the last and crowning act of insult and outrage upon the people of the South, the citizens of the Northern States, by overwhelming majorities, on the sixth day of November last, elected Abraham Lincoln and Hannibal Hamlin, President and Vice President of the United States. Whilst it may be admitted that the mere election of any man to the Presidency is not, *per se*, a sufficient cause for a dissolution of the Union, yet, when the issues upon, and circumstances under which

he was elected, are properly appreciated and understood, the question arises whether a due regard to the interest, honor, and safety of their citizens, in view of this, and all the other antecedent wrongs and outrages, do not render it the imperative duty of the Southern States to resume the powers they have delegated to the Federal Government, and interpose their sovereignty for the protection of their citizens.

What, then, are the circumstances under which and the issues upon which he was elected? His own declarations and the current history of the times but too plainly indicate he was elected by a Northern sectional vote, against the most solemn warnings and protestations of the whole South. He stands forth as the representative of the fanaticism of the North, which, for the last quarter of a century, has been making war upon the South, her property, her civilization, her institution, and her interest—as the representative of that party which overrides all constitutional barriers, ignores the obligation of official oaths, and acknowledges allegiance to a higher law than the Constitution, striking down the sovereignty and equality of the States, and resting its claims to popular favor upon the one dogma, the equality of the races, white and black.

It was upon his acknowledgment of allegiance to a higher law, that Mr. Seward rested his claims to the Presidency, in a speech made by him in Boston before the election. He is the exponent, if not the author, of the doctrine of the irrepressible conflict between freedom and slavery, and proposes that the opponents of slavery shall arrest its further expansion, and by *Congressional legislation exclude it from the common Territories of the Federal Government, and place it where the public mind shall rest in the belief that it is in the course of ultimate extinction.* He claims for free negroes the right of suffrage, and an equal voice in the government—in a word, all the rights of citizenship—although the Federal Constitution, as construed by the highest judicial tribunal in the world, does not recognize Africans imported into this country as slaves, or their descendants, whether free or slaves, as citizens.

These were the issues presented in the last Presidential canvass, and upon these the American people passed at the ballot-box. Upon the principles then announced by Mr. Lincoln and his leading friends, we are bound to expect his administration to be conducted. Hence it is that in high places among the Republican party, the election of Mr. Lincoln is hailed, not simply as a change of administration, but as the inauguration of new principles and a new theory of government, and even as the downfall of slavery. Therefore it is that the election of Mr. Lincoln cannot be regarded otherwise than a solemn declaration, on the part of a large majority of the Northern people, of hostility to the South, her property and her institutions—nothing less than an open declaration of war; for the triumph of this new theory of government destroys the property of the South, lays waste her fields, and inaugurates all the horrors of a San Domingo servile insurrection, consigning her citizens to assassinations, and her wives and daughters to pollution and violation, to gratify the lust of half civilized Africans. Especially is this true in the cotton-growing States, where, in many localities, the slave outnumbers the white population ten to one.

If the policy of the Republicans is carried out, according to the programme indicated by the leaders of the party, and the South submits, degradation and ruin must overwhelm alike all classes of citizens in the Southern States. The slaveholder and non-slaveholder must ultimately share the same fate—all be degraded to a position of equality with free negroes; stand side by side with them at the polls, and fraternize in all the social relations of life; or else there will be an eternal war of races, desolating the land with blood, and utterly wasting and destroying all the resources of the country. Who can look upon such a picture without a shudder? What Southern man, be he slaveholder or non-slaveholder, can without indignation and horror contemplate the triumph of negro equality, and see his own sons and daughters in the not distant future associating with free negroes upon terms of political and social equality; and the white man stripped by the Heaven-daring hand of fanaticism of that title to superiority over the black race which God himself has bestowed? In the Northern States, where free negroes are so few as to form no appreciable part of the community, in spite of all the legislation for their protection they still remain a degraded caste—excluded by the ban of society from social association with all but the lowest and most degraded of the white race. But in the South, where in many places the African race largely predominates, and, as a consequence, the two races would be continually pressing together, amalgamation or the extermination of the one or the other would be inevitable. Can Southern men submit to such degradation and ruin? God forbid that they should.

But, it is said, there are many constitutional conservative men at the North, who sympathize with and battle for us. That is true, but they are utterly powerless, as the late Presidential election unequivocally shows, to breast the tide of fanaticism that threatens to roll over and crush us. With them it is a question of principle, and we award to them all honor for their loyalty to the constitution of our fathers; but their defeat is not their gain. With us it is a question of self-preservation—our lives, our property, the safety of our homes and our hearthstones—all that men hold dear on earth—is involved in the issue. If we triumph, vindicate our rights and maintain our institutions, a bright and joyous future lies before us. We can clothe the world with our staple—give wings to her commerce, and supply with bread the starving operative in other lands, and at the same time preserve an institution that has done more to civilize and Christianize the heathen than all human agencies beside—an institution alike beneficial to both races, ameliorating the moral, physical, and intellectual condition of the one, and giving wealth and happiness to the other. If we fail, the light of our civilization goes down in blood, our wives and our little ones will be driven from their homes by the light of our own dwellings. The dark pall of barbarism must soon gather over our sunny land, and the scenes of West India emancipation, with its attendant horrors and crimes, (that monument of British fanaticism and folly,) be re-enacted in our own land upon a more gigantic scale.

Then is it not time we should be up and doing like men who know

their rights and dare maintain them? To whom shall the people of the Southern States look for the protection of their rights, interests, and honor? We answer, to their own sons and their respective States. To the States, as we have seen, under our system of Government, is due the primary allegiance of the citizen, and the correlative obligation of protection devolves upon the respective States—a duty from which they cannot escape; and which they dare not neglect, without a violation of all the bonds of fealty that hold together the citizen and the sovereign.

The Northern States and their citizens have proved recreant to their obligations under the Federal Constitution; they have violated that compact, and refused to perform their covenants in that behalf.

The Federal Government has failed to protect the rights and property of the citizens of the South, and is about to pass into the hands of a party pledged for the destruction, not only of their rights and their property, but the equality of the States ordained by the Constitution and the heaven-ordained superiority of the white over the black race. What remains then for the Southern States and the people of these States if they are loyal to the great principles of civil and religious liberty, sanctified by the sufferings of a seven-years' war, and baptized with the blood of the revolution? Can they permit the rights of their citizens to be denied and spurned; their property spirited away; their own sovereignty violated, and themselves degraded to the position of mere dependencies instead of sovereign States? Or, shall each for itself, judging of the infractions of the constitutional compact, as well as the mode and measure of redress, declare that the covenants of that sacred instrument in their behalf, and for the benefit of their citizens, have been willfully, deliberately, continuously, and persistently broken and violated by the other parties to the compact, and that they and their citizens are therefore absolved from all further obligations to keep and perform the covenants thereof, resume the powers delegated to the Federal Government, and as sovereign States, form other relations for the protection of their citizens and the discharge of the great ends of government? The Union of these States was one of fraternity as well as equality; but what fraternity now exists between the citizens of the two sections? Various religious associations, powerful in numbers and influence, have been broken asunder, and the sympathy that bound together the people of the several States at the time of the formation of the Constitution has ceased to exist, and feelings of bitterness, and even hostility, have sprung up in its place. How can this be reconciled and a spirit of fraternity established? Will the people of the North cease to make war upon the institution of slavery, and award to it the protection guaranteed by the Constitution? The accumulated wrongs of many years; the late action of their members in Congress refusing every measure of justice to the South, as well as the experience of all the past, answer, No, never!

Will the South give up the institution of slavery and consent that her citizens be stripped of their property, her civilization destroyed, the whole land laid waste by fire and sword? It is impossible; she cannot, she will not. Then why attempt longer to hold together

hostile States under the stipulations of a violated constitution? It is impossible; disunion is inevitable. Why then wait longer for the consummation of a result that must come? Why waste further time in expostulations and appeals to Northern States and their citizens, only to be met, as we have been for years past, by renewed insults and repeated injuries? Will the South be better prepared to meet the emergency when the North shall be strengthened by the admission of the new Territories of Kansas, Nebraska, Washington, Jefferson, Nevada, Idaho, Chippewa, and Arizona, as non-slaveholding States, as we are warned from high sources will be done within the next four years, under the administration of Mr. Lincoln? Can the true men at the North ever make a more powerful or successful rally for the preservation of our rights and the constitution than they did in the last Presidential contest? There is nothing to inspire a hope that they can.

Shall we wait until our enemies shall possess themselves of all the powers of the government? until Abolition judges are on the Supreme Court bench, Abolition collectors at every port, and Abolition postmasters in every town, secret mail agents traveling the whole land, and a subsidized press established in our midst, to demoralize our people? Will we be stronger then, or better prepared to meet the struggle, if a struggle must come? No, verily! When that time shall come, well may our adversaries laugh at our folly and deride our impotence. The deliberate judgment of Alabama, as indicated by the joint resolutions of her General Assembly, approved February 24, 1860, is, that prudence, patriotism, and loyalty to all the great principles of civil liberty incorporated in our Constitution, and consecrated by the memories of the past, demand that all the Southern States should now resume their delegated powers, maintain the rights, interest, and honor of their citizens, and vindicate their own sovereignty. And she most earnestly but respectfully invites her sister sovereign State, Kentucky, who so gallantly vindicated the sovereignty of the States in 1798, to the consideration of these grave and vital questions, hoping she may concur with the State of Alabama in the conclusions to which she has been driven by the impending dangers that now surround the Southern States. But if, on mature deliberation, she dissents on any point from the conclusions to which the State of Alabama has arrived, on behalf of that State I most respectfully ask a declaration by this venerable Commonwealth of her conclusions and position on all the issues discussed in this communication. And Alabama most respectfully urges upon the people and authorities of Kentucky the startling truth, that *submission or acquiescence on the part of the Southern States, at this perilous hour, will enable Black Republicanism to redeem all its nefarious pledges, and accomplish all its flagitious ends;* and that hesitation or delay in their action will be misconceived and misconstrued by their adversaries, and ascribed not to that elevated patriotism that would sacrifice all but their honor to save the Union of their fathers, but to division and dissension among themselves and their consequent weakness; that prompt, bold, and decided action is demanded alike by prudence, patriotism, and the safety of their citizens.

Permit me, in conclusion, on behalf of the State of Alabama, to ex-

press my high gratification at the cordial manner in which I have been received as her Commissioner by the authorities of the State of Kentucky, as well as the profound personal gratification which, as a son of Kentucky, born and reared within her borders, I feel, at the manner in which I, as the Commissioner from the State of my adoption, have been received and treated by the authorities of the State of my birth.

Please accept assurances of the high consideration and esteem of
Your obedient servant, &c., S. F. HALE,
Commissioner from the State of Alabama.

FRANKFORT, Dec. 27, 1860.

EXECUTIVE DEPARTMENT, }
Frankfort, Ky., Dec. 28, 1860. }

To HON. S. F. HALE, *Commissioner from the State of Alabama:*

Your communication of the 27th inst., addressed to me by authority of the State of Alabama, has been attentively read.

I concur with you in the opinion that the grave political issues yet pending and undetermined between the slaveholding and non-slaveholding States of the confederacy, are of a character to render eminently proper and highly important a full and frank conference on the part of the Southern members, identified, as they undoubtedly are, by a common interest, bound together by mutual sympathies, and with the whole social fabric resting on homogeneous institutions. And coming, as you do, in a spirit of fraternity, by virtue of a commission from a sister Southern State, to confer with the authorities of this State in reference to the measures necessary to be adopted to protect the interests and maintain the honor and safety of the States and their citizens, I extend you a cordial welcome to Kentucky.

You have not exaggerated the grievous wrongs, injuries, and indignities to which the slaveholding States and their citizens have long submitted, with a degree of patience and forbearance justly attributable alone to that elevated patriotism and devotion to the Union which would lead them to sacrifice well nigh all, save honor, to recover the government to its original integrity of administration, and perpetuate the Union upon the basis of equality established by the founders of the Republic. I may even add, that the people of Kentucky, by reason of their geographical position and nearer proximity to those who seem so madly bent upon the destruction of our constitutional guarantees, realize yet more fully than our friends farther South the intolerable wrongs and menacing dangers you have so elaborately recounted. Nor are you, in my opinion, more keenly alive than are the people of this State to the importance of arresting the insane crusade so long waged against our institutions and our society by measures which shall be certainly effective. The rights of African slavery in the United States, and the relations of the Federal Government to it, as an institution in the States and Territories, most assuredly demand at this time explicit definition and final recognition by the North. The slaveholding States are now impelled by the very highest law of self-preservation to demand that this settlement should be concluded upon such a basis as shall not only conserve the institution in localities where it is now

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recognized, but secure its expansion under no other restrictions than those which the laws of nature may throw around it. That unnecessary conflict between free labor and slave labor but recently inaugurated by the Republican party as an element in our political struggles, must end; and the influence of soil, of climate, and local interests, left unaided and unrestricted save by constitutional limitations, to control the extension of slavery over the public domain. The war upon our social institutions and their guaranteed immunities, waged through the Northern press, religious and secular, and now threatened to be conducted by a dominant political organization through the agency of State Legislatures and the Federal Government, must be ended. Our safety, our honor, and our self-preservation, alike demand that our interests be placed beyond the reach of further assault.

The people of Kentucky may differ variously touching the nature and theory of our complex system of government; but when called upon to pass upon these questions at the polls, I think such an expression would develop no material variance of sentiment touching the wrongs you recite, and the necessity of their prompt adjustment. They fully realize the fatal result of longer forbearance, and appreciate the peril of submission at this juncture. Kentucky would leave no effort untried to preserve the Union of the States upon the basis of the Constitution as we construe it; but Kentucky will never submit to wrong or dishonor, let resistance cost what it may. Unqualified acquiescence in the administration of the government upon the Chicago platform, in view of the movements already inaugurated at the South, and the avowed purposes of the representative men of the Republican party, would, I feel assured, receive no favor in this State, whether her citizens shall in the last resort throw themselves upon the right of revolution as the inherent right of a free people never surrendered, or shall assert the doctrine of secession, can be of little practical import. When the time for action comes—and it is now fearfully near at hand—our people will be found rallied as a unit under the flag of resistance to intolerable wrong; and being thus consolidated in feeling and action, I may well forego any discussion of the abstract theories to which one party or another may hold to cover their resistance.

It is true that, as sovereign political communities, the States must determine, each for itself, the grave issues now presented; and it may be that when driven to the dire extremity of severing their relations with the Federal Government, formal independent separate State action will be proper and necessary. But resting, as do these political communities, upon a common social organization, constituting the sole object of attack and invasion, confronted by a common enemy, encompassed by a common peril, in a word, involved in one common cause, it does seem to me that the mode and manner of defense and redress should be determined in a full and free conference of all the Southern States, and that their mutual safety requires full co-operation in carrying out the measures there agreed upon. The source whence oppression is now to be apprehended is an organized power, a political Government in operation, to which resistance, though ultimately success-

ful—and I do not for a moment question the issue—might be costly and destructive. We should look these facts in the face, nor close our eyes to what we may reasonably expect to encounter. I have therefore thought that a due regard to the opinions of all the slaveholding States would require that those measures which concern all alike, and must ultimately involve all, should be agreed upon in common convention, and sustained by united action.

I have before expressed the belief and confidence, and do not now totally yield the hope, that if such a convention of delegates from the slaveholding States be assembled, and, after calm deliberation, present to the political party now holding the dominance of power in the Northern States, and soon to assume the reins of national power, the firm alternative of ample guarantees to all our rights and security for future immunity, or resistance, our just demands would be conceded, and the Union be perpetuated stronger than before. Such an issue so presented to the Congress of the United States, and to the Legislatures and people of the Northern States—and it is practicable in abundant time before the government has passed into other hands—would come with a moral force which, if not potent to control the votes of the representative men, might produce a voice from their constituents which would influence them. But if it fail, our cause would emerge, if possible, stronger, fortified by the approbation of the whole conservative sentiment of the country, and supported by a host of Northern friends who would prove in the ultimate issue most valuable allies. After such an effort, every man in the slaveholding States would feel satisfied that all had been done which could be done to preserve the legacy bequeathed us by the patriots of '76 and the statesmen of '89, and the South would stand in solid unbroken phalanx, a unit. In the brief time left, it seems to me impracticable to effect this object through the agency of commissioners sent to the different States. A convention of authorized delegates is the true mode of bringing about co-operation among the Southern States, and to that movement I would respectfully ask your attention, and through you solicit the co-operation of Alabama. There is yet another subject upon which the very highest considerations appeal for an united southern expression.

On the 4th of March next, the Federal Government, unless contingencies now unlooked for occur, will pass into the control of the Republican party. So far as the policy of the incoming administration is foreshadowed in the antecedents of the President elect, in the enunciations of its Representative men, and the avowels of the press, it will be to ignore the acts of sovereignty thus proclaimed by Southern States, and of coercing the continuance of the Union, its inevitable result will be civil war of the most fearful and revolting character. Now, however the people of the South may differ as to the mode and measure of redress, I take it that the fifteen slaveholding States are united in opposition to such a policy, and would stand in solid column to resist the application of force by the Federal authority to coerce the seceding States. But it is of the utmost importance that before such a policy is attempted to be inaugurated, the voice of the South should be heard in

potential, official, and united protest. Possibly the incoming administration would not be so dead to reason as, after such an expression, to persist in throwing the country into civil war, and we may thereby avert the calamity. An attempt "to enforce the laws" by blockading two or three Southern States would be regarded as quite a different affair from a declaration of war against thirteen millions of freemen, and if Mr. Lincoln and his advisers be made to realize that such would be the issue of the "force policy," it will be abandoned. Should we not realize to our enemies that consequence and avert the disastrous results? But if our enemies be crazed by victory and power, and madly persist in their purpose, the South will be better prepared to resist.

You ask the co-operation of the Southern States in order to redress our wrongs: so do we. You have no hope of a redress in the Union. We yet look hopefully to assurances that a powerful reaction is going on at the North. You seek a remedy in secession from the Union. We wish the united action of the slave States assembled in convention within the Union. You would act separately: we unitedly. If Alabama and the other slave States would meet us in convention, say at Nashville or elsewhere, as early as the 5th day of February, I do not doubt that we would agree in forty-eight hours upon such reasonable guarantees, by way of amendment to the Constitution of the United States, as would command at least the approbation of our numerous friends in the free States, and by giving them time to make the question with the people there, such a reaction in public opinion might yet take place as to secure us our rights, and save the government. If the effort failed, the South would be united to a man, the North divided, the horrors of civil war would be averted—if any thing can avert the calamity; and if that be not possible, we would be in a better position to meet the dreadful collision. By such action, too, if it failed to preserve the government, the basis of another confederacy would have been agreed upon, and the new government would in this mode be launched into operation much more speedily and easily than by the action you propose.

In addition to the foregoing, I have the honor to refer you to my letter of the 16th ult., to the Editor of the *Yeoman*, and to my letter to the Governors of the slave States, dated the 9th December, herewith transmitted to you, which, together with what I have said in this communication, embodies, with all due deference to the opinions of others, in my judgment, the principles, policy, and position which the slave States ought to maintain.

The Legislature of Kentucky will assemble on the 17th of January, when the sentiment of the State will doubtless find official expression. Meantime, if the action of Alabama shall be arrested until the conference she has sought can be concluded by communication with that department of the government, I shall be pleased to transmit to the Legislature your views. I regret to have seen in the recent messages of two or three of our Southern sister States a recommendation of the passage of laws prohibiting the purchase, by the citizens of those States, of the slaves of the border slaveholding States. Such a course

is not only liable to the objection so often urged by us against the Abolitionists of the North of an endeavor to prohibit the slave trade between the States, but is likewise wanting in that fraternal feeling which should be common to States which are identified in their institutions and interests. It affords me pleasure, however, to add, as an act of justice to your State, that I have seen no indication of such a purpose on the part of Alabama. It would certainly be considered an act of injustice for the border slaveholding States to prohibit, by their legislation, the purchase of the products of the cotton-growing States, even though it be founded upon the mistaken policy of protection to their own interests.

I cannot close this correspondence without again expressing to you my gratification in receiving you as the honored Commissioner from your proud and chivalrous State, and at your courteous, able, dignified, and manly bearing in discharging the solemn and important duties which have been assigned to you.

I have the honor to be, with sentiments of high consideration,

Your friend and obedient servant,
B. MAGOFFIN.

FRANKFORT, KY., January 1, 1861.

To His Excellency, B. MAGOFFIN,

Governor of the Commonwealth of Kentucky:

Your communication of the 28th ult., in reply to the communication I, as the Commissioner from the State of Alabama, had the honor of submitting for your consideration on the 27th, has just been placed in my hands, and shall promptly be laid before the Governor of Alabama. Be assured that the communication of your Excellency will receive from the authorities of the State of Alabama that full and candid consideration due, as well to the magnitude of the subjects discussed, as the high source from which it emanates; and I doubt not that in the hour of trial Kentucky and Alabama will be found standing side by side in defense of the rights, interests, and honor of their citizens.

In closing our official correspondence, permit me again to express my high appreciation of the cordial welcome extended to me as the Commissioner from Alabama, as well as your many acts of courtesy and kindness to me personally during my sojourn at your capital.

And accept assurances of the high consideration and esteem of

Your friend and obedient servant,
S. F. HALE.

AUDITOR'S STATEMENT.

REVENUE PROPER.

| | |
|----------------------------------|---------------------|
| Taxable property, valuation 1860 | \$511,668,542 |
| Taxable property, valuation 1859 | 493,409,363 |
| Increase over 1859 | <u>\$18,259,179</u> |

NOTE.—The valuation of 1860 does not include Marion county, as the clerk has failed to make any returns.

| | |
|---|----------------|
| Total receipts for the year ending 10th October, 1860 | \$1,111,284 88 |
| Balance in treasury 10th October, 1859 | 136,463 47 |

| | |
|--------|-----------------------|
| Making | <u>\$1,247,748 35</u> |
|--------|-----------------------|

| | |
|---|----------------|
| Expenses for the year ending 10th October, 1860 | \$1,401,628 06 |
| Total receipts for the year ending 10th October, 1860 | 1,247,748 35 |

| | |
|---|--------------|
| Excess of expenses 10th October, 1860 | \$153,879 71 |
| Expenses from 10th October to 31st December, 1860 | 108,640 17 |

| | |
|--|---------------------|
| Making | <u>\$262,519 88</u> |
| Total receipts 10th October to 31st December, 1860 | 695,744 90 |

| | |
|---|--------------|
| Balance in the treasury 31st December, 1860 | \$433,225 02 |
| Of this belongs to— | |

| | |
|--------------|-------------|
| Revenue | \$87,150 07 |
| Sinking fund | 208,334 37 |
| School fund | 137,740 58 |

\$433,225 02

| | |
|---|-------------|
| Receipts from 1st to 15th January, 1861 | \$77,143 02 |
| Balance in treasury 31st December, 1860 | 433,225 02 |

| | |
|---------------------------|---------------------|
| Making | <u>\$510,368 04</u> |
| Expenses during this time | 68,913 91 |

| | |
|--|--------------|
| Balance in treasury 15th January, 1861 | \$441,454 13 |
| Of this belongs to— | |

| | |
|--------------|-------------|
| Revenue | \$41,211 37 |
| Sinking fund | 217,201 88 |
| School fund | 183,040 88 |

\$441,454 13

SINKING FUND PROPER.

| | |
|---|--------------|
| Total receipts for the year ending 10th October, 1860 | \$926,083 93 |
| Balance in the treasury 10th October, 1859 | 208,055 25 |

| | |
|---|-----------------------|
| Making | <u>\$1,134,139 18</u> |
| Expenses for the year ending 10th October, 1860 | 853,711 46 |

| | |
|---|--------------|
| Balance in treasury 10th October, 1860 | \$280,427 72 |
| Total receipts from 10th October to 31st December, 1860 | 32,224 71 |

| | |
|---|---------------------|
| Making | <u>\$312,652 43</u> |
| Expenses from 10th October to 31st December, 1860 | 143,928 78 |

| | |
|---|--------------|
| Balance in treasury 31st December, 1860 | \$168,723 65 |
| Add amount due from revenue department, as above | 208,334 37 |
| Sinking Fund loan on the 31st December, 1860, (outstanding) | 212,477 84 |

\$589,535 86

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|--|--------------|
| Total receipts from 1st to 15th January, 1861----- | \$102,708 74 |
| Add balance in treasury 31st December, 1860----- | 168,823 65 |
| Making ----- | \$271,532 39 |
| Expenses from 1st to 15th January, 1861----- | 38,396 28 |
| Balance in treasury 15th January, 1861----- | \$233,136 11 |
| Add amount due from revenue department, as above----- | 217,201 88 |
| Sinking fund loan 15th January, 1851, (outstanding)----- | 203,646 49 |
| Total amount sinking fund 15th January, 1861----- | \$653,984 48 |

SCHOOL FUND.

| | |
|--|--------------|
| Balance 10th October, 1859----- | \$571 96 |
| Receipts from 10th October to 31st December, 1859----- | 159,581 77 |
| Making ----- | \$160,153 73 |
| Expenditures from 10th October to 31st December, 1859----- | 343 29 |
| Balance 31st December, 1859----- | \$159,810 44 |
| Receipts from 1st January to 31st December, 1860----- | 322,105 69 |
| Making ----- | \$481,916 13 |
| Expenditures from 1st January to 31st December, 1860----- | 344,175 55 |
| Balance 31st December, 1860----- | \$137,740 58 |
| Receipts from 1st to 15th January, 1861----- | \$45,314 26 |
| Add balance 31st December, 1860----- | 137,740 58 |
| Making ----- | \$183,054 84 |
| Expenditures from 1st to 15th January, 1861----- | 13 96 |
| Balance 15th January, 1861----- | \$183,040 88 |

SUPPOSED EXPENDITURES FOR THE YEAR 1861.

A STATEMENT showing the probable expenditures of the government for the year ending on the 10th day of October, 1861, viz:

| | |
|--|------------|
| For services of Commonwealth's attorneys----- | \$6,700 00 |
| For criminal prosecutions----- | 68,000 00 |
| For clerks' services, record books, &c----- | 16,000 00 |
| For taking lists of taxable property----- | 32,000 00 |
| For amounts to be paid by clerks in aid of the jury fund----- | 25,000 00 |
| For services of jailers----- | 45,000 00 |
| For amounts to be paid by sheriff's in aid of the jury fund----- | 10,000 00 |
| For expenses under the head of contingencies----- | 15,000 00 |
| For killing wild cats----- | 3,000 00 |
| For deficits of the jury fund----- | 20,000 00 |
| For the support of idiots----- | 23,000 00 |
| For public communications----- | 600 00 |
| For rewards and expenses----- | 3,000 00 |
| For blind asylum----- | 5,000 00 |
| For distributing acts, journals, and other public documents----- | 1,000 00 |
| For military expenditures----- | 2,000 00 |
| For public library----- | 500 00 |
| For money refunded----- | 100 00 |
| For stationery for public use----- | 3,000 00 |
| For decisions court of appeals----- | 1,500 00 |
| For killing wolves----- | 200 00 |
| For deaf and dumb asylum----- | 13,000 00 |
| For slaves executed and imprisoned for life----- | 6,000 00 |
| For public binding----- | 10,000 00 |
| For public printing----- | 15,000 00 |
| For salaries of executive and judiciary officers----- | 66,000 00 |

Amount carried forward----- \$390,600 00

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| | |
|---|--------------|
| Amount brought forward----- | \$390,600 00 |
| For paper for public printing----- | 7,000 00 |
| For appropriations unpaid----- | 84,000 00 |
| For red foxes killed----- | 4,000 00 |
| For school for feeble-minded children, unpaid appropriation----- | 14,000 00 |
| For Legislature, January, 1861----- | 40,000 00 |
| For penitentiary appropriation, December session, 1860, unpaid account----- | 43,000 00 |
| For revenue supervisors----- | 2,000 00 |
| Total supposed expenditures for 1861----- | \$584,600 00 |

SUPPOSED RECEIPTS FOR 1861.

A STATEMENT of moneys which may be expected to be paid into the Treasury during the year ending on the 10th day of October, 1861, subject to the expenses of the government, viz:

| | |
|---|---------------------|
| The revenue for 1860 amounts to----- | \$1,070,118 20 |
| Charges, &c., will be about----- | \$85,000 00 |
| Paid previous to 10th of October, 1860----- | 1,834 08 |
| | <u>86,834 08</u> |
| Leaving----- | \$983,284 12 |
| Of this belongs to----- | |
| School fund----- | \$245,821 03 |
| Sinking fund----- | 245,821 03 |
| | <u>\$491,642 06</u> |
| Leaving for revenue department----- | \$491,642 06 |
| Clerks will pay----- | 70,000 00 |
| City of Louisville----- | 2,000 00 |
| License tax by sheriffs----- | 6,000 00 |
| City of Lexington----- | 700 00 |
| Miscellaneous----- | 700 00 |
| Non-residents' land----- | 600 00 |
| Trustees jury fund----- | 20,000 00 |
| Sheriffs accounts and other old balances----- | 70,000 00 |
| Total supposed receipts for 1861----- | <u>\$661,642 06</u> |
| Supposed expenses ending 10th of October, 1861----- | \$584,600 00 |
| Add deficit of revenue fund 10th of October, 1860, (this deficit is caused by the large appropriations made by the last Legislature)----- | 153,879 71 |
| Making----- | \$738,479 71 |
| Deduct supposed receipts 10th of October, 1861----- | 661,642 06 |
| Supposed deficit revenue fund 10th of October, 1861----- | <u>\$76,837 65</u> |

This calculation is predicated upon the hypothesis that the Legislature will not make any extraordinary appropriations; and should this be so, this balance may be reduced by advanced payments being made out of the revenue of 1861. At all events, it is supposed, at the end of the year (31st of December) 1861, this balance will be *all* liquidated.

It is supposed the valuation of taxable property for the year 1861 (the revenue of which will be payable in the fiscal year, 1862) will be reduced at least one third, and perhaps more; hence it may be calculated with some degree of certainty that the revenue proper will be reduced to that extent.

GRANT GREEN, Auditor.

CORRESPONDENCE BETWEEN THE GOVERNORS OF KENTUCKY AND OHIO.

STATE OF OHIO, EXECUTIVE DEPARTMENT,
Columbus, May, 31, 1860. }

To His Excellency, B. MAGOFFIN,

Governor of the Commonwealth of Kentucky:

SIR: Some time since a requisition of your Excellency was presented to me, for the surrender to your agent of Willis Lago, described as being a "fugitive from the justice" of your State, charged by indictment, an authenticated copy of which accompanied the requisition, with the offense against the laws of Kentucky of having "seduced and enticed Charlotte, a slave, the property of C. W. Nichols, to leave her owner and possessor, and of aiding and assisting said slave in an attempt to make her escape from her said owner and possessor."

My absence from home, and that of the Attorney General of this State to whom I submitted the papers for his official examination, and other causes, referred to in the accompanying copy of the opinion of that officer, have delayed my reply to your requisition.

I have now the honor of communicating to your Excellency this opinion of the Attorney General, which embodies substantially the reasons that have compelled me to decline to surrender Lago, in compliance with your requisition.

With sentiments of the highest respect, I have the honor to be

Your obedient servant,

W. DENNISON.

OFFICE OF THE ATTORNEY GENERAL,
Columbus, Ohio, 14th April, 1860. }

SIR: The requisition with its accompanying documents made upon you by the Governor of Kentucky, for the surrender of Willis Lago, described to be a "fugitive from the justice of the laws of" that State, may, for all present purpose, be regarded as sufficiently complying with the provisions of the Federal Constitution and the act of Congress touching the extradition of fugitives from justice, if the alleged offense charged against Lago can be considered as either "treason, felony, or other crime," within the full scope of these provisions.

Attached to the requisition is an authenticated copy of the indictment on which the demand is predicated; and this—omitting merely the title of the case and the venue—is in the words and figures following:

"The Grand Jury of Woodford county, in the name and by the authority of the Commonwealth of Kentucky, accuse Willis Lago, free man of color, of the crime of assisting slave to escape, &c., committed as follows, viz: The said Willis Lago, free man of color, on the 4th day of October, 1859, in the county aforesaid, not having *having* lawful claim, and not having any color of claim thereto, did seduce and entice Charlotte, a slave, the property of C. W. Nuctols, to leave her owner and possessor, and did aid and assist said slave in an attempt to make

her escape from her said owner and possessor, against the peace and dignity of the Commonwealth of Kentucky."

This indictment, it must be admitted, is quite inartificially framed, and it might be found difficult to vindicate its validity according to the rules of criminal pleading which obtain in our own courts, or wheresoever else the common law prevails. This objection, however, if it have any force, loses its importance in the presence of other considerations, which, in my judgment, must control the fate of the application.

The act of which Lago is thus accused by the Grand Jury of Woodford county certainly is not "treason" according to any code of any country; and just as certainly is not "felony," or any other crime under the laws of this State or by the common law. On the other hand, the laws of Kentucky do denounce this act as a "crime;" and the question is thus presented, whether, under the Federal Constitution, one State is under an obligation to surrender its citizens or residents to any other State, on the charge that they have committed an offense not known to the laws of the former, nor affecting the public safety, nor regarded as *malum in se* by the general judgment and conscience of civilized nations.

This question must, in my opinion, be resolved against the existence of any such obligation. There are many acts, such as the creation of nuisances, selling vinous or spirituous liquors, horse racing, trespassing on public lands, keeping tavern without license, permitting dogs to run at large, declared by the laws of most of the States to be crimes, for the commission of which the offender is visited with fine or imprisonment, or with both, and yet it will not be insisted that the power of extradition as defined by the Constitution applies to these or the like offenses. Obviously, a line must be somewhere drawn, distinguishing offenses which do, from offenses which do not, fall within the scope of this power. The right rule, in my opinion, is that which holds the power to be limited to such acts as constitute either treason or felony by the common law, as that stood when the constitution was adopted, or which are regarded as crimes by the usages and laws of all civilized nations. This rule is sufficiently vindicated by the consideration that no other has ever been suggested at once so easy of application to all cases, so just to the several States, and so consistent in its operation with the rights and security of the citizen.

The application of this rule is decisive against the demand now urged for the surrender of Lago. The offense charged against him does not rank among those upon which the constitutional provision was intended to operate, and you have therefore no authority to comply with the requisition made upon you by the Governor of Kentucky.

Entertaining no doubt as to the rightfulness of this conclusion, I am highly gratified in being able to fortify it by the authority of my learned and eminent predecessor, who first filled this office, and who officially advised the Governor of that day, that in a case substantially similar to the one now presented, he ought not to issue his warrant of extradition. Other authority, if needed, may be found in the

fact that this rule is conformable to the ancient and settled usage of the State.

To guard against possible misapprehension, let me add that the power of extradition is not to be exercised as of course, in every case which may apparently fall within the rule here asserted. While it is limited to these cases, the very nature of the power is such that its exercise, even under this limitation, must always be guided by a sound legal discretion applying itself to the particular circumstances of each case as it shall be presented.

The communication in a formal manner of the preceding opinion has been long but unavoidably deferred by causes of which you are fully apprised. Though this delay is greatly to be regretted, it can have had no prejudicial effect, as the agent appointed by the Governor of Kentucky to receive Lago, was long since officially, though informally, advised that no case had been presented which would warrant his extradition.

Very respectfully, your obedient servant,

C. P. WALCOTT.

To the Governor.

EXECUTIVE OFFICE,
Frankfort, Ky., June 4th, 1860. }

His Excellency, W. DENNISON, Governor of Ohio:

SIR: Your reply, dated 31st ult., to my requisition upon you, made on the 10th of February last, in which you refuse to surrender a fugitive from the justice of this State, charged by indictment with the crime of having seduced and enticed a slave to leave her owner and possessor, and of aiding and assisting said slave in an attempt to make her escape from her said owner and possessor, is before me.

I am not as much surprised at the delay in making your reply, as I have been at the apparently conflicting reasons which are given by you and the Attorney General of Ohio therefor; nor at this so much as at the reasons embodied in the "opinion" of the latter officer, upon which you base your declination to surrender the fugitive.

You state that your absence from home, and that of the Attorney General, delayed your response. The Attorney states that the agent appointed by me was "long since *officially*, though informally, advised that no case had been presented which would warrant the extradition" of the fugitive. The opinion of the Attorney bears date 14th April last; your note to me adopting it bears date nearly six weeks afterwards; and although it appears that *long before* the 14th April it had been "*officially*" announced that you would not make the surrender, you hesitated to inform me of the fact until the 31st of May. And wherefore? May I not, in charity, indulge the hope that it was because of your reluctance to violate the Constitution of the United States and the act of Congress passed to carry it into effect, both of which imperatively demand that the fugitive shall be surrendered?

The constitution (article 4, section 2) declares that a "person charged in any State with treason, *felony*, or other *crime*, who shall flee

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from justice, and be found in another State, shall, on demand of the executive authority of the State from which he fled, be delivered up, to be removed to the State having jurisdiction of the crime." The act of Congress is equally imperative. How, then, do you avoid the solemn duty which they both impose?

Your Attorney General says that the requisition made upon you with its accompanying documents, are "regarded as sufficiently complying with the provisions of the Federal Constitution and the act of Congress touching the extradition of fugitives from justice," and he admits that "*the laws of Kentucky* do denounce this act as a *crime*." Had not the Legislature of Kentucky the right to declare the offense alluded to a *felony*? Do you contend that the act is unconstitutional? But the refusal to surrender is based upon the ground that it is not a crime under the *laws of Ohio*, or the *common law*; and you, through your Attorney, go on to say that "the right rule is that which holds the power of extradition to be limited to such acts as constitute either treason or felony by the *common law*, as that stood when the constitution was adopted, or which are regarded as crimes by the usages and laws of all civilized nations." It is added that "the application of this rule is decisive against the demand" for the surrender of the fugitive in question. And this rule is again limited by the statement that "the power of extradition is not to be exercised as of course, in every case which may apparently fall within the rule here asserted. This qualification would seem to have been added from a superabundance of caution."

The rule adopted by you, it will be seen at a glance, would forbid the surrender of a fugitive from justice charged with crime, in almost numberless instances, although the crime be well defined upon the statute book of the State where committed, because, forsooth, it was not a crime at common law when the constitution was adopted, or not recognized as such by the usages and laws of ALL civilized nations! For example. Certain injuries and obstructions to telegraph lines and railroads are crimes by our statute, and perhaps by yours. Were they crimes at common law when the constitution was formed? Obtaining money by false pretences, and other description of frauds, are now made crimes by the statutes of some of the States. Were they crimes at common law at the adoption of the constitution? Or is it certain that the laws and usages of "all civilized nations" even now denounce them as crimes or felonies? Look over your own statute book, and you will doubtless see many crimes defined which were not so at the origin of our common government, or which the judgment or laws of all civilized nations will approve. Do you issue no requisition for the surrender of a fugitive from the justice of your laws without first ascertaining whether the crime with which he stands charged was a crime at common law at the adoption of the constitution, or is made such by the laws of all civilized countries?

Your Attorney General—and yourself adopting his opinion—say that the indictment which accompanied my requisition upon you "is quite inartificially framed, and it might be found difficult to vindicate its validity according to the rules of criminal pleading which obtain in

our own courts, [i. e. the courts of Ohio,] or wheresoever else the common law prevails."

It would seem, from this attempt at criticism, that not only are the laws of Kentucky, which do not conflict with the constitution of the United States, defining crimes, to be annulled by the laws of Ohio and the ancient common law, but likewise the mode of procedure *prescribed by our Code of Practice and Pleading for our courts of justice.* You are doubtless aware that many of our sister States, as well as Kentucky, have simplified their system of practice and pleading, by their own statute laws; and the criticism now made upon this indictment, instead of advancing with these judicial reforms, would lead us back into the labyrinth of *black letter times.*

But to return to the main question. Shall the constitutional provision which I have quoted, and the act of Congress, be obeyed? Shall the rights of a sovereign State of the confederacy, her laws, and her institutions, be respected?

Judge Story, in his Commentaries on the Constitution, remarks that, "however the point may be as to foreign nations, it cannot be questioned that it is of vital importance to the public administration of criminal justice and the security of the respective States, that criminals who have committed crimes therein should not find *an asylum in other States;* but should be surrendered up for *trial and punishment.* It is a power most salutary in its general operation, by discouraging crimes and cutting off the chances of escape from punishment. It will promote harmony and good feelings among the States; and it will increase the general sense of the blessings of the national government."

But it is needless to quote authorities. Our claim is founded upon the binding obligations of a plainly written constitution and an equally unambiguous enactment by Congress, passed in pursuance thereof.

I shall not stop to enter into the discussion of our right of property in slaves. That is a question not open for debate. It has been too long recognized, and by too many sanctions, to admit at this day of controversy; and especially by those who are ready, upon the merest pretexts, to deny us our constitutional rights pertaining to that description of property. It is sufficient to say that the federal constitution was the work of delegates whose almost entire constituency were citizens of slave States. It may in truth be said that the constitution was the work of slaveholders—that their wisdom, moderation, and prudence gave it to us. Non-slaveholding States were then *the exception, not the rule.* The organic law of the nation recognized by its provisions, in unmistakable terms, the right to slave property, some of which provisions were designed for its protection.

With regard to the argument that some of the States have declared to be *crimes* offenses which appear trivial to others, it is only necessary to remark that it is for each State to settle and determine for itself, and by its own laws, when not in conflict with the constitution of the United States, what acts shall or shall not be considered criminal when committed within its own limits and jurisdiction; and no violator of such laws should be suffered to escape with impunity because officers, whose business it is to execute and not to enact the laws, may think them too severe.

According to the rule laid down by you, all that would be necessary for a State, wishing to refuse to surrender fugitives from justice, and become an asylum for the criminals of other States, to do, would be to repeal its criminal laws; for as they must govern the question in your view of it, there could be then no crime to punish, and no fugitive to return to answer the demands of violated law.

The Attorney General announces that the rule adopted by him and yourself is "conformable to the ancient and settled usage of the State" of Ohio.

I am not aware how *ancient* the rule may be with you, but I am satisfied it was not in vogue when Kentuckians ran with alacrity to the rescue of your people against the assaults of British invaders and their more savage allies. And it cannot be that ingratitude is a characteristic of your constituents. It is to *their* "sober second thought" that I would appeal, not to grant us a favor or confer a privilege, but simply not to give us a denial of our constitutional rights. And that appeal I would make in your own language, when on a recent occasion you addressed your fellow-citizens of Kentucky, Tennessee, and Indiana, at your own capital. Speaking for the people of Kentucky, as you then spoke for the people of Ohio, I would declare with emphasis: "Believe me, gentlemen, the people of Ohio ask no peculiar privileges under the Constitution. They cheerfully recognize as belonging to their brethren all the rights they claim for themselves. *The exclusive right of the people of every State to establish and maintain undisturbed their domestic institutions, lies at the foundation of the national confederacy. Without its recognition there could have been no union of the States. Without its continued recognition, as the basis of all national legislation, and for the regulation of the intercourse between the people of the States, in theory and in fact, there can be no practical union of the States.* The sovereignty of the States in all matters not clearly delegated to the Federal Government must be maintained."—*Columbus Speech, Jan., 1860.*

This was the solemn pledge given to us on our visit last winter to Ohio, by you, as the Executive of the State, and, be assured, nothing less will satisfy the people of Kentucky. Nothing less should be conceded by the people of Ohio. I cannot convey to you my surprise and disappointment, when I read the reasons given for your refusal to surrender the fugitive Lago, in direct violation, I conceive, of the sentiments and principles laid down in the above extract from your speech upon the occasion alluded to. According to your own admissions and position so distinctly stated, that violation involves a dissolution of the Union.

I have the honor to be,

Your obedient servant,

B. MAGOFFIN.

P. S.—Under a sense of duty to the people I have the honor to represent, and in view of the large number of slaves annually enticed away from their owners by emissaries sent from Ohio, whom you refuse to surrender, I shall cause this correspondence to be published.

B. M.

JAN.

Mr. Fisk offered the following resolution:

Resolved, That the Committee on Federal Relations be, and hereby are, instructed to inquire into the expediency of submitting what are known as the Crittenden amendments to the Constitution of the United States, to a vote of the qualified voters of Kentucky, on the 22d day of February next, and of directing the Governor to request the Governors of the States of Delaware, Maryland, Virginia, North Carolina, Tennessee, Missouri, Arkansas, New York, New Jersey, Pennsylvania, Ohio, Indiana, and Illinois, to cause the same to be submitted to the voters of their respective States on the same day. Also, that the Governor appoint two Commissioners to meet two Commissioners from each of the aforesaid States, in Cincinnati, in the State of Ohio, on the — day of March next, for the purpose of preparing amendments to the Constitution of the United States, in order that such amendments may be submitted for the adoption of all the United States as shall heal the discord now existing among them, restore fraternal feelings, settle and protect the just rights of all the people in all the States and Territories, and forever remove the slavery question from the halls of the National Legislature; and that said committee report by bill or otherwise, at their earliest convenience.

Ordered, That the Public Printer forthwith print 150 copies of the same for the use of the members of the General Assembly, and that the said resolution be made the special order for to-morrow at 10 o'clock, A. M.

Mr. Grover offered the following resolution, viz:

Resolved, That the rules governing the Senate at its last session be adopted as the rules for its government at its present session, and that the Public Printer forthwith print 150 copies thereof for the use of the members of the General Assembly.

Which was adopted.

Mr. Andrews offered the following resolution:

Resolved by the Senate and House of Representatives of the Commonwealth of Kentucky, That we approve the propositions lately offered in the Senate of the Congress of the United States by our Senator, Hon. John J. Crittenden, as a proper basis for the settlement of the existing national difficulties on the subject of slavery.

Ordered, That the Public Printer forthwith print 150 copies thereof for the use of the members of the General Assembly, and that the consideration of said resolution be postponed for the present.

Mr. Andrews offered the following resolution:

Resolved by the Senate and House of Representatives of the Commonwealth of Kentucky, That the legislative business of this session be confined to such subjects as are embraced in the Governor's message, and that it

shall be out of order to consider any other subjects of general legislation.

Ordered, That the Public Printer forthwith print 150 copies of the same for the use of the members of the General Assembly, and that the consideration of said resolution be postponed for the present.

Mr. Andrews offered the following resolution, viz:

Resolved by the Senate, (until otherwise ordered,) That the regular hours of the assembling of the Senate on each day be at 10 o'clock, A. M., and that the Senate adjourn at $1\frac{1}{2}$ o'clock each day.

Which was adopted.

Mr. Prall read and laid on the table the following resolution:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the respective Committees on Federal Relations in the Senate and House of Representatives, be, and it is hereby, constituted a joint committee of the two Houses for the present session.

Mr. Simpson read and laid on the table the following preamble and resolutions:

WHEREAS, The people of some of the States feel themselves deeply aggrieved by the policy and measures which have been adopted by the people of some of the other States; and whereas, an amendment of the Constitution of the United States is deemed indispensably necessary to secure them against similar grievances in the future; therefore,

Resolved by the General Assembly of the Commonwealth of Kentucky, That application to Congress, to call a Convention for proposing amendments to the Constitution of the United States, pursuant to the fifth article thereof, be, and the same is hereby, now made by the General Assembly of Kentucky.

Resolved, That the Governor of this State forthwith communicate the foregoing resolution to the President of the United Sates, with the request that he immediately place the same before Congress.

Mr. Walton read and laid on the table the following preamble and resolution:

WHEREAS, The people of this country, North and South, are in a distracted condition in relation to the institution of slavery, by reason of Northern aggressions upon Southern rights, in consequence of which we are in a state of *revolution*, and upon the very verge of a *disruption* of the Government; and whereas, the people of Kentucky have a deep and *abiding* interest in the perpetuity of the union of the States with all our constitutional rights; therefore,

Resolved by the General Assembly of the Commonwealth of Kentucky, That it is the duty of the people of Kentucky to do anything in their power, consistent with their honor and the interests of the Commonwealth, to bring about a speedy reconciliation between the Northern

JAN. 17

and Southern States; and that, as a basis of a final adjustment of the difficulties now existing between the two sections of the country, we recommend to our sister States, for their adoption at the polls at their earliest convenience, the following propositions, to-wit:

"WHEREAS, Serious and alarming dissensions have arisen between the Northern and Southern States, concerning the rights and security of the rights of the slaveholding States, and especially their rights in the common territory of the United States; and whereas, it is eminently desirable and proper that those dissensions, which now threaten the very existence of this Union, should be permanently quieted and settled by constitutional provisions, which shall do equal justice to all sections, and thereby restore to the people that peace and good will which ought to prevail between all the citizens of the United States; therefore,

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, two thirds of both Houses concurring, That the following articles be, and are hereby, proposed and submitted as amendments to the Constitution of the United States, which shall be valid to all intents and purposes as part of said Constitution, when ratified by Conventions of three fourths of the several States.

"ART. 1. In all the territory of the United States now held, or hereafter acquired, situated north of latitude 36 degrees 30 minutes, slavery or involuntary servitude, except as a punishment for crime, is prohibited while such territory shall remain under territorial government. In all the territory south of said line of latitude, slavery of the African race is hereby recognized as existing, and shall not be interfered with by Congress, but shall be protected as property by all the departments of the territorial government during its continuance. And when any territory, north or south of said line, within such boundaries as Congress may prescribe, shall contain the population requisite for a member of Congress according to the then Federal ratio of representation of the people of the United States, it shall, if its form of government be Republican, be admitted into the Union, on an equal footing with the original States, with or without slavery, as the constitution of such new State may provide.

"ART. 2. Congress shall have no power to abolish slavery in places under its exclusive jurisdiction, and situated within the limits of States that permit the holding of slaves.

"ART. 3. Congress shall have no power to abolish slavery within the District of Columbia, so long as it exists in the adjoining States of Virginia and Maryland, or either, nor without the consent of the inhabitants, nor without just compensation first made to such owners of slaves as do not consent to such abolishment. Nor shall Congress at any time prohibit officers of the Federal Government, or members of Congress, whose duties require them to be in said District, from bringing with them their slaves, and holding them as such during the time their duties may require them to remain there, and afterwards taking them from the District.

"ART. 4. Congress shall have no power to prohibit or hinder the

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transportation of slaves from one State to another, or to a Territory in which slaves are by law permitted to be held, whether the transportation be by land, navigable rivers, or by the sea.

"ART. 5. That in addition to the provisions of the third paragraph of the second section of the fourth article of the Constitution of the United States, Congress shall have power to provide by law, and it shall be its duty to so provide, that the United States shall pay to the owner who shall apply for it, the full value of his fugitive slave in all cases when the marshal or other officer whose duty it was to arrest said fugitive was prevented from so doing by violence or intimidation, or when, after arrest, said fugitive was rescued by force, and the owner thereby prevented and obstructed in the pursuit of his remedy for the recovery of his fugitive slave under the said clause of the Constitution and the laws made in pursuance thereof. And in all such cases, when the United States shall pay for such fugitive, they shall have the right, in their own name, to sue the county in which said violence, intimidation, or rescue was committed, and to recover from it, with interest and damages, the amount paid by them for said fugitive slave. And the said county, after it has paid said amount to the United States, may, for its indemnity, sue and recover from the wrong doers or rescuers by whom the owner was prevented from the recovery of his fugitive slave, in like manner as the owner himself might have sued and recovered.

"ART. 6. No future amendment of the Constitution shall affect the five preceding articles; nor the third paragraph of the second section of the first article of the Constitution; nor the third paragraph of the second section of the fourth article of said Constitution; and no amendment shall be made to the Constitution, which will authorize or give to Congress any power to abolish or interfere with slavery in any of the States by whose laws it is or may be allowed or permitted."

Ordered, That the Public Printer forthwith print 150 copies of the same for the use of the members of the General Assembly.

Mr. Cosby read and laid on the table the following preamble and resolutions:

WHEREAS, The Union of these States is in imminent danger of being broken up by the secession of Southern and the nullification of Northern States; and whereas, it is a duty we owe ourselves and our posterity to make an honest and a patriotic effort to save entire a Government which cost the blood and treasure of our sires, and which has made us the happiest and most prosperous nation on earth; and whereas, self-interest and self-preservation point out the necessity of agreeing upon the course to be pursued in the event that we should fail to accomplish our object, to-wit: the preservation of the Union; therefore, be it

Resolved by the General Assembly of the Commonwealth of Kentucky, That in the present political crisis, Kentucky cannot, consistently with her own interest and the duty which she owes her sister States, occupy a neutral position.

Resolved, That she is in favor of the perpetuity of her Federal rela-

tions with all the States of this Government, upon, and only upon, constitutional principles.

Resolved, That she deems it her interest and bounden duty, as a slave State, to send delegates to a Southern Convention, the object and design of which will be to agree upon and clearly define the constitutional rights of the South.

Resolved, That said delegates be instructed neither to add to or subtract from the present Constitution; but they shall be required to append to said Constitution a supplement, defining, in plain terms, the decisions of the Supreme Court in reference to the subject of slavery, and containing an amendment making it the duty of the General Government to collect in money the value of any fugitive slave or slaves from such States as may refuse to give them up according to the requisitions of the fugitive slave law, whether that refusal be upon the legislative action of said States or the violence of a mob.

Resolved, That when said Convention shall have finished its labors, it shall be its duty to submit its proceedings to a ratification or rejection of the States.

Resolved, That the States ratifying the Constitution thus defined and amended, shall form a permanent and everlasting Union thereon.

Resolved, That it is not our intention, in any thing that we may do, to dissolve our present confederated government; but, on the other hand, to heal the breach already existing, and cement it together upon its original principles, and thus destroy the irrepressible conflict now being waged by Northern and by Southern fanatics, so much to the injury of our prosperity and the danger of our institutions.

Resolved, That the necessity of the move that Kentucky, and the States agreeing with her, is about to make, grows out of the action of such Northern States as have nullified the fugitive slave law, and the threatening and menacing position assumed by the Republican party in reference to the power of Congress over the subject of slavery.

Resolved, That the appointment of delegates to a Southern Convention by the Governor or the Legislature, as may be deemed best, will supersede the necessity of calling a State Convention.

Ordered, That the Public Printer forthwith print 150 copies of the same for the use of the members of the General Assembly.

Mr. Rhea offered the following resolution, viz:

Resolved, That in the opinion of the Senate it is the duty of the Speaker of the Senate to appoint the usual standing committees, made obligatory under the rules of the Senate.

Which was adopted.

On motion of Mr. Andrews, the Senate then adjourned.

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FRIDAY, JANUARY 18, 1861.

Mr. Andrews offered the following resolution:

Resolved by the Senate, That the Committee on Federal Relations consist of seven members.

Mr. Grover proposed to amend the resolution by making the Committee on Military Affairs consist of the same number.

Amendment agreed to and resolution adopted.

Mr. L. Rousseau, the Senator elected from the 24th Senatorial District, appeared, took the several oaths required by the Constitution, and took his seat.

The Senate then, according to special order, took up for consideration the resolution offered by Mr. Fisk on yesterday.

Mr. Anthony moved to amend said resolution, by striking out the word "instruct," in the second line, and inserting in lieu thereof the word "request."

Which was adopted.

Said resolution, as amended, was then adopted.

Mr. Cissell read and laid upon the table the following preamble and resolutions, viz:

WHEREAS, The people of the slave States feel, and have just cause to feel, deeply aggrieved by the policy and measures adopted by the dominant majority of the free States; and whereas, Mr. Lincoln has been elected to the Presidency of the United States upon principles of utter hostility to the institution of slavery in the South and in the common territory of the United States; and whereas, propositions have been made, having for their object the formation of a central confederacy of the border slave and free States; therefore, be it

Resolved by the General Assembly of the Commonwealth of Kentucky, That while Kentucky is and ever has been devoted to the Union upon the principles of the Federal Constitution, as construed by the Supreme Court, yet she deems the formation of such a confederacy unwise, unfeasible, and impolitic, tending certainly and speedily to the destruction of slave property in this State.

Resolved, That while it is the duty of Kentucky to make one more effort to bring about a speedy reconciliation between the North and South, and while she is willing to accept the Crittenden resolutions by way of amendments to the Constitution as a final settlement of the entire difficulties; when these are refused by the people of the North, through their representatives, Kentucky will consider herself

absolved from all allegiance to the present Federal Constitution, and pledges herself to stand by and with her sisters of the South; their trials shall be her trials; their destiny, her destiny.

Ordered, That the Public Printer forthwith print 150 copies of the same for the use of the members of the General Assembly, and the further consideration of said resolutions be postponed for the present.

Mr. Prall read and laid upon the table the following preamble and resolutions, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That it is fitting that we should meet with firmness and moderation the grave questions that agitate the country, and should deliberate calmly and without passion, upon the momentous issues that now press upon us, and which involve the preservation or dismemberment of an empire and the destinies of millions of freemen.

Resolved, That we regard the union of the States under the Constitution, as the surest safeguard and strongest bulwark of regulated liberty ever devised by man, and cherish it as associated with all our historic glories in the past, and our brightest hopes in the future; and if it shall be perpetuated upon the principles on which it was founded, we believe it destined to be the fruitful and beneficent source of boundless blessings and benefits to every member of the confederacy in all time to come. We therefore deem it the patriotic duty of Kentucky to cling to the Union so long as there may remain a reasonable hope of its preservation or reconstruction upon principles of justice and equality, and consistently with the rights and the safety of the citizens of the several States.

Resolved, That we have witnessed with profound regret the triumph of a sectional party in the North, whose principles and purposes we believe to be in conflict with the spirit and genius of our institutions, in violation of the Constitution as expounded by our highest judicial tribunal, and hostile to the rights and the institutions of the South.

Resolved, That in a spirit of compromise and conciliation, we are ready cordially to accept the propositions recently submitted, as amendments to the Constitution, by our distinguished Senator, Hon. John J. Crittenden, in the Congress of the United States, as the very best which can secure peace and permanence to the Union; and unless these propositions, or such an equivalent as will remove the question of slavery from the arena of national polities, and guarantee the rights of the South, shall be accepted by the Northern States, their rejection will be regarded by Kentucky as evincing such a settled determination, on their part, to make war upon the institutions of the South, and must lead inevitably to the separation of the States.

Resolved, That in order that this great issue may be fairly presented, we recommend that Congress submit these propositions to the several States, or that the States act upon them without delay in such manner as they may deem most fit to give expression to their sentiments; and we hereby petition Congress, and ask our sister States to unite with us in the petition, that a general convention of the States may be called,

as soon as may be practicable, for the purpose of amending the Constitution, in order that one last appeal to the patriotism of the people of the North shall be made, and one final effort to perpetuate our Government upon the enduring foundation of justice and equality, before it shall be dismembered forever.

Resolved, That with a view to earnest and deliberate consultation and concert of action among those identified in interest and destiny, we recommend that a Convention of delegates from the border slaveholding States, including Tennessee and North Carolina, and such others as may choose to co-operate, assemble in the city of Baltimore, on the _____ day of _____, and _____; one of whom to be selected by the Senators and Representatives from each Congressional District, are appointed delegates to represent the State of Kentucky in that Convention.

Resolved, That if all the efforts we have attempted by these resolutions to inaugurate, and such others as may be promptly made, shall fail to produce an adjustment of existing difficulties; or, if the exigencies of the times shall, in his judgment, demand it, the Governor is empowered by proclamation to call a Convention, to assemble at Frankfort, at such time as he may designate. And to provide for this contingency, the Committee on the Judiciary is instructed to bring in a bill providing for the election and pay of delegates, if such Convention should be called. But no action of that body shall be final and binding, involving the political relations of Kentucky, till it shall have been fairly submitted to the people and ratified by their vote.

Resolved, That we deprecate as unworthy of freemen, a Union to be held together by the sword; and Kentucky will never consent to the employment of force by the strong arm of the Federal Government to coerce into submission the States of the South that have withdrawn from the Union, but enters against it her most solemn protest.

Resolved, That the Governor be requested to transmit copies of the foregoing resolutions to the Executives of the several States, and to our Senators and Representatives in Congress.

Ordered, That the Public Printer forthwith print 150 copies of the same for the use of the members of the General Assembly, and the further consideration of said resolutions be postponed for the present.

Mr. Grover offered the following resolution, viz:

Resolved, That the Committee on Military Affairs be instructed to inquire into and ascertain what appropriation will be required by the present General Assembly to provide the necessary additional arms, accoutrements, and other munitions for existing and future emergencies, so as to put the Commonwealth in a complete state of defense, and that they report by bill at their earliest convenience.

Mr. Alexander proposed the following amendment, viz:

After the word defense, "and that they also report what arms are now owned by the State, and their location and condition, and the place at which, and the cost of additional arms."

Amendment agreed to, resolution adopted, and referred to Committee on Military Affairs.

Mr. Walker offered the following resolution, viz:

Resolved by the Senate of Kentucky, That the Committee on Federal Relations be instructed to report a bill submitting to the qualified voters of this Commonwealth the propriety of calling a convention to determine what course they will pursue in the present crisis, and on the same day providing for the election of delegates to attend said Convention.

Mr. Whitaker offered the following amendment, viz:

Amend by striking out the word "instruct," in the second line, and insert "request."

Which was adopted.

Said resolution, as amended, was then adopted.

Mr. Grover offered the following resolution, viz:

Resolved, That so much of the Governor's message as relates to Federal affairs be referred to the Committee on Federal Relations. That so much of said message as relates to the arming, equipping, uniforming, and providing munitions of war for volunteer soldiers, be referred to the Committee on Military Affairs. That so much of said message as relates to the rebuilding of the Lunatic Asylum at Hopkinsville, be referred to the Committee on Finance. That so much of said message as relates to finance, be referred to the Committee on Finance.

Which was adopted.

Mr. DeHaven offered the following resolution, viz:

Resolved, That the Committee on Finance be composed of seven, instead of five members, as now constituted.

Which was adopted.

Mr. Fisk offered the following resolution, viz:

Resolved, That the Sergeant-At-Arms be instructed to fling out the old stars and stripes from the dome of this Capitol.

Which was unanimously adopted.

On motion of Mr. Cissell,

Ordered, That the rules of the Senate be suspended, and the resolutions offered by Messrs. Andrews, Prall, Cosby, and Walton, on yesterday, be referred to the Committee on Federal Relations.

On motion of same, the rules were suspended, and the resolutions offered by Messrs. Cissell and Prall were referred to the Committee on Federal Relations.

The Senate then, according to order, took up the joint resolution offered by Mr. Simpson on yesterday.

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Mr. Prall offered the following amendments, viz:

Amend first resolution by adding, "and we hereby invite our sister States to unite with us, without delay, in similar applications to Congress."

Amend second resolution by adding, "and the Executives of the several States, with a request that they lay them before their respective Legislatures."

Which were accepted.

The resolution, as amended, was then adopted.

Mr. Andrews offered the following preamble and resolutions, viz:

The Senate of Kentucky having received information of the death of Col. James McKee, a member of this body, and sharing in the sorrow this sad event has brought upon his family and the people whom he so faithfully served, do unanimously

Resolved, That we deeply and sincerely regret the loss at this time of one so good, true, and firm in all patriotic purposes; so pure in all the relations of life; so exalted in virtue, and so inflexibly attached to the Union of the States.

Resolved, That the officers and members of this body will wear mourning on the left arm for thirty days.

Resolved, That a copy of this preamble and these resolutions be transmitted to his widow, Mrs. McKee, expressive of our sympathy with the irreparable loss she has sustained in this severely afflicting dispensation of Providence.

Resolved, That the Senate adjourn until to-morrow at 10 o'clock.

And after some eloquent and appropriate remarks from Messrs. Andrews and Haycraft, said resolutions were adopted.

And then the Senate adjourned.

SATURDAY, JANUARY 19, 1861.

1. Mr. Bruner presented the petition of sundry citizens of Grayson county, asking that further time be given the collectors of the revenue to pay in the same.

2. Mr. Fisk presented the petition of P. McGlaughlin and others, praying the passage of an act for the benefit of said McGlaughlin.

3. Mr. Fisk presented the remonstrance of sundry citizens of Covington against some proposed amendments to the charter of said city.

Which were received, the reading dispensed with, and referred—the

1st and 2d to the Committee on Finance, and the 3d to the Committee on the Judiciary.

Mr. Walton moved to reconsider the vote by which the Senate passed the resolution offered by Mr. Simpson on a previous day.

Mr. Cosby seconded the motion.

Ordered, That the further consideration of said motion be postponed for the present.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Alexander—1. A bill concerning the banks of Kentucky.

On motion of Mr. Cissell—2. A bill to change the time of holding the Webster circuit court.

On motion of Mr. Rust—3. A bill to authorize the sheriff of Greenup county to collect back taxes due the State on the delinquent list of that county.

On motion of Mr. Haycraft—4. A bill for the benefit of the trustees of Elizabethtown.

On motion of Mr. Rust—5. A bill to authorize the banks to suspend specie payment.

On motion of Mr. Haycraft—6. A bill to extend for five years the act passed February 18, 1841, offering a reward for the discovery of the cause of the milk sickness.

On motion of Mr. Cosby—7. A bill to amend the execution laws.

On motion of Mr. Rust—8. A bill to extend State aid to railroads and turnpikes.

On motion of Mr. Grundy—9. A bill for the benefit of the sheriff of Washington county.

On motion of same—10. A bill to incorporate the Glenville Agricultural and Mechanical Association.

On motion of Mr. Read—11. A bill defining the duties and powers of the marshal of Hodgenville.

On motion of Mr. Cissell—12. A bill for the benefit of the sheriffs of Union, Crittenden, and Hopkins counties.

On motion of Mr. Anthony—13. A bill for the benefit of W. G. Harrison and Anderson Graves, of Allen county.

On motion of Mr. Pennebaker—14. A bill amending the school laws of the city of Louisville.

On motion of same—15. A bill to incorporate the Odd Fellows' Association of Louisville.

On motion of same—16. A bill for the benefit of the sheriff of Jefferson county.

On motion of Mr. Boles—17. A bill for the benefit of the securities of John G. Pickens, late sheriff of Clinton county.

On motion of same—18. A bill to amend the common school laws.

On motion of Mr. Walker—19. A bill for the benefit of the sheriffs of this Commonwealth.

On motion of Mr. Cissell—20. A bill to amend the charter of the Highland Coal Company.

On motion of Mr. Prall—21. A bill to amend the charter of the town of Millersburg.

On motion of Mr. Walker—22. A bill for the benefit of Samuel Kitchen, of Butler county.

On motion of Mr. Davidson—23. A bill to legalize the proceedings of the circuit court of Wolfe county.

On motion of Mr. Jenkins—24. A bill for the benefit of the sheriffs of this Commonwealth.

On motion of same—25. A bill to amend the militia law of this Commonwealth.

On motion of Mr. Walker—26. A bill to incorporate a Lodge of Free and Accepted Masons, in Paradise, Muhlenburg county.

On motion of Mr. Davidson—27. A bill to authorize the election of a mayor and marshal in the town of Hazlegreen, Wolfe county.

On motion of Mr. Johnson—28. A bill to establish the Commonwealth's Bank of Kentucky, to be based upon the resources of the sinking fund, the school fund, and such other cash resources as the State may have.

On motion of Mr. Jenkins—29. A bill to establish the equity and criminal court in Ballard county.

On motion of Mr. Barrick—30. A bill to change the boundary line between the counties of Barren and Metcalfe,

Which were referred—the 1st and 28th to the Committee on Banks; the 2d, 23d, and 29th to the Committee on Circuit Courts; the 3d, 4th, 5th, 7th, 11th, 14th, 15th, 16th, 21st, 26th, and 27th to the Committee on the Judiciary; the 6th, 13th, 17th, 19th, 22d, and 24th to the Committee on Finance; the 8th to the Committee on Internal Improvement; the 9th to a committee composed of Messrs. Grundy, Taylor, and Bruner; the 10th to a committee consisting of Messrs. Grundy, Denny, and Read; the 12th to a committee composed of Messrs. Cissell, John-

son, and Irvan; the 18th to the Committee on Education; the 20th to a select committee composed of Messrs. Cissell, Johnson, and Andrews; the 25th to the Committee on Military Affairs, and the 30th to the Committee on Propositions and Grievances.

The Senate then, according to order, took up for consideration the following resolution, viz:

Resolved by the Senate and House of Representatives of the Commonwealth of Kentucky, That the legislative business of this session be confined to such subjects as are embraced in the Governor's message, and that it shall be out of order to consider any other subjects of general legislation.

Mr. Rhea offered the following amendment, viz:

And such measures as may have for their object relief to the country from the existing financial pressure.

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Andrews and Rhea, were as follows, viz:

Those who voted in the affirmative, were—

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| Mr. Speaker, (Porter,) T. T. Alexander, William T. Anthony, James R. Barrick, Samuel H. Boles, John B. Bruner, Benjamin P. Cissell, A. D. Cosby, | Alex. L. Davidson, Samuel E. DeHaven, John F. Fisk, J. E. Gibson, Asa P. Grover, Thomas S. Grundy, John L. Irvan, Samuel H. Jenkins, | John M. Johnson, William H. McBrayer, Albert G. Rhea, Henry M. Rust, Cyrenius Wait, E. Dudley Walker, C. J. Walton—23. |
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Those who voted in the negative, were—

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|--|--|--|
| Landaff W. Andrews, Charles Chambers, William S. Darnaby, George Denny, William C. Gillis, | Robert E. Glenn, Samuel Haycraft, Thornton F. Marshall, John A. Prall, | L. H. Rousseau, James Simpson, Harrison Taylor, W. C. Whitaker—13. |
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And so said amendment was adopted.

The question was then taken on the adoption of said resolution, as amended, and it was decided in the negative.

The yeas and nays being demanded thereon by Messrs. Grover and Andrews, were as follows, viz:

Those who voted in the affirmative, were—

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| Landaff W. Andrews, James R. Barrick, Samuel H. Boles, | Asa P. Grover, Thomas S. Grundy, John L. Irvan, | William B. Read, James Simpson, Harrison Taylor, |
|--|---|--|

John B. Bruner, Samuel H. Jenkins, Cyrenius Wait,
 Charles Chambers, John M. Johnson, E. Dudley Walker,
 William S. Darnaby, Thornton F. Marshall, C. J. Walton,
 Samuel E. DeHaven, William H. McBrayer, W. C. Whitaker—22.
 George Denny,

Those who voted in the negative, were—

| | | |
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| Mr. Speaker, (Porter,) T. T. Alexander, | John F. Fisk, J. E. Gibson, | Charles D. Pennebaker, John A. Prall, |
| William T. Anthony, Benjamin P. Cissell, | William C. Gillis, Robert E. Glenn, | Albert G. Rhea, L. H. Rousseau, |
| A. D. Cosby, Alex. L. Davidson, | Samuel Haycraft, | Henry M. Rust—16. |

And so said resolution was rejected.

Mr. Chambers appealed, and filed the following bill of exception, viz :

On the resolution offered by the Senator from Fleming, as amended on the motion of the Senator from Logan, restricting and regulating the order and subjects of legislation at this called session of the General Assembly, on the vote by yeas and nays, the vote was yeas 22, nays 16; and the Speaker having decided that it requires a two thirds vote of the Senators present, and that the nays have it, the Senator from Boone appeals from the decision of the Chair.

On motion of Mr. Andrews,

Ordered, That the further consideration of said appeal be postponed for the present, and that it be made the special order for Monday at 10 o'clock, A. M.

Mr. Prall read and laid upon the table the following joint resolution, viz :

Resolved by the General Assembly of the Commonwealth of Kentucky, That a commissioner shall be appointed, in such manner as the General Assembly may hereafter direct, who shall be accredited to each of the States of the Union, except those on the Pacific; and shall repair at once to their respective capitals, and represent to the Legislatures and executive authorities thereof, the earnest wish of Kentucky that they unite with her in applying without delay to Congress, for the call of a convention of all the States, in order that a patriotic effort may be made to cement, and to perpetuate upon an enduring basis, the Union of the States.

Ordered, That the Public Printer forthwith print 150 copies of the same for the use of the members of the General Assembly.

Mr. Bruner offered the following resolution, viz :

Resolved, That the Committee on Finance be instructed to inquire into the expediency and propriety of giving the sheriffs of this Commonwealth further time to collect and pay into the treasury the revenue.

Ordered, That said resolution be referred to the Committee on Finance.

Mr. Taylor read and laid upon the table the following joint resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Governor of this Commonwealth be, and he is hereby authorized to draw from the Treasury of this State any sum not exceeding three hundred and fifty dollars, to enable him to execute the resolution of the General Assembly at its last session, awarding medals to the surviving Kentucky volunteers who participated in the naval battle on Lake Erie, 10th September, 1813.

Ordered, That said resolution be referred to the Committee on Finance.

Mr. Pennebaker offered the following resolution, viz:

Resolved, That the Committee on Banks be instructed to correspond with the various banks of this State as to what legislation, if any, is necessary, or whether any legislation can be now had with reference to her banks calculated to give any financial relief to the people of this State.

Which was adopted.

A message was received from the House of Representatives, announcing that they had passed a bill of the following title, viz:

An act to charter the Salvisa and Kirkwood turnpike road company.

Mr. Pennebaker moved to adjourn.

And the question being taken on said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Read and Pennebaker, were as follows, viz:

Those who voted in the affirmative, were—

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| T. T. Alexander, | Samuel H. Jenkins, | L. H. Rousseau, |
| Benjamin P. Cissell, | John M. Johnson, | Henry M. Rust, |
| William S. Darnaby, | Thornton F. Marshall, | James Simpson, |
| William C. Gillis, | William H. McBrayer, | Harrison Taylor, |
| Asa P. Grover, | Chas. D. Pennebaker, | E. Dudley Walker, |
| Samuel Haycraft, | John A. Prall, | C. J. Walton—18. |

Those who voted in the negative, were—

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| Mr. Speaker, (Porter,) A. D. Cosby, | Thomas S. Grundy, |
| William T. Anthony, Alex. L. Davidson, | John L. Irvan, |
| Landaff W. Andrews, Samuel E. DeHaven, | William B. Read, |
| James R. Barrick, George Denny, | Albert G. Rhea, |

Samuel H. Boles, John F. Fisk, Cyrenius Wait,
 John B. Bruner, J. E. Gibson, W. C. Whitaker—20.
 Charles Chambers, Robert E. Glenn,

And so the Senate refused to adjourn.

Mr. Andrews moved at 11 $\frac{3}{4}$ o'clock to take a recess until 12 M.

And the question being taken on said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Pennebaker and Grover, were as follows, viz:

Those who voted in the affirmative, were—

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|---|-------------------|
| Mr. Speaker, (Porter,) Robert E. Glenn, | John A. Prall, |
| T. T. Alexander, Thomas S. Grundy, | Albert G. Rhea, |
| William T. Anthony, Samuel Haycraft, | Henry M. Rust, |
| Landaff W. Andrews, John L. Irvan, | James Simpson—14. |
| Samuel H. Boles, William H. McBrayer, | |

Those who voted in the negative, were—

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|--|----------------------|
| James R. Barrick, George Denny, | Chas. D. Pennebaker, |
| John B. Bruner, John F. Fisk, | William B. Read, |
| Charles Chambers, J. E. Gibson, | L. H. Rousseau, |
| Benjamin P. Cissell, William C. Gillis, | Harrison Taylor, |
| A. D. Cosby, Asa P. Grover, | Cyrenius Wait, |
| William S. Darnaby, Samuel H. Jenkins, | E. Dudley Walker, |
| Alex. L. Davidson, John M. Johnson, | C. J. Walton, |
| Samuel E. DeHaven, Thornton F. Marshall, | W. C. Whitaker—24. |

And so the Senate refused to take a recess.

The Senate then took up for consideration a bill from the House of Representatives, entitled

An act to incorporate the Salvisa and Kirkwood turnpike road company,

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bill having been dispensed with,

Ordered, That said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

And then the Senate adjourned.

MONDAY, JANUARY 21, 1861.

The Senate, according to order, took up for consideration the appeal taken on Saturday by the Senator from Boone, Mr. Chambers, and after some discussion had thereon, Mr. Chambers withdrew his appeal.

Under the order of the Senate, the Speaker appointed the following standing committees, viz:

On the Judiciary—Messrs. Cissell, Andrews, Bruner, Simpson, and Rousseau.

On the Court of Appeals—Messrs. Read, Gillis, Chambers, Walker, and Rhea.

On Circuit Courts—Messrs. Whitaker, Darnaby, Read, Jenkins, and Haycraft.

On County Courts—Messrs. McBrayer, Alexander, Prall, Rhea, and Rust.

On Propositions and Grievances—Messrs. Grundy, Haycraft, Alexander, Anthony, and Grover.

On Religion—Messrs. Wait, Whitaker, Irvan, Haycraft, and Davidson.

On Internal Improvement—Messrs. Taylor, Davidson, Simpson, Chambers, and Walton.

On Privileges and Elections—Messrs. Irvan, Barrick, McBrayer, Wait, and Denny.

On Finance—Messrs. DeHaven, Read, Rhea, Alexander, Cissell, Barrick, and Grover.

On Education—Messrs. Barrick, Cosby, Fisk, Gillis, and Wait.

On the Penitentiary—Messrs. Darnaby, Gibson, Rousseau, Cosby, and Irvan.

On Military Affairs—Messrs. Boles, Andrews, DeHaven, Whitaker, Grundy, Pennebaker, and Gibson.

On Agriculture and Manufactures—Messrs. Glenn, McBrayer, Anthony, Grundy, and Denny.

On the Sinking Fund—Messrs. Bruner, Darnaby, and Walker.

On Federal Relations—Messrs. Prall, Cissell, Simpson, Rhea, Marshall, Rust, and Irvan.

On Executive Affairs—Messrs. Walton, Boles, Johnson, Denny, and Cosby.

On Public Buildings—Messrs. Anthony, Cosby, Glenn, Bruner, and Gibson.

On Revised Statutes—Messrs. Fisk, Taylor, Grover, Pennebaker, and Marshall.

On the Codes of Practice—Messrs. Grover, Taylor, Fisk, Jenkins, and Walker.

On Geological Survey—Messrs. Rust, Jenkins, Walton, McBrayer, and Davidson.

JOINT COMMITTEES.

On Enrollments—Messrs. Gillis, Barrick, and Glenn.

On Library—Messrs. Alexander, Boles, and Prall.

On Banks—Messrs. Johnson and Bruner.

On Public Offices—Messrs. Gibson and Rousseau.

1. Mr. Gillis presented the petition of sundry citizens of school district No. 1, of Rockcastle county, praying the passage of an act for their benefit.

2. Mr. Fisk presented the remonstrance of sundry citizens of Covington against proposed amendments to the charter of said city.

3. Mr. Barrick presented the petition of sundry citizens of Barren and Metcalfe counties, asking that a change in the line between said counties be made.

Which were received, the readings dispensed with, and referred—the 1st to the Committee on County Courts; the 2d to the Committee on the Judiciary, and the 3d to the Committee on Propositions and Grievances.

Mr. Cissell read and laid upon the table the following preamble and joint resolutions, viz:

WHEREAS, Some of the States, composing the United States of America, have, by ordinances of conventions of the people of such States, dissolved their union with the States as formed by the Constitution of the United States, and from information it is believed that other States will adopt like ordinances of dissolution; and whereas, it is the sincere and earnest wish of the General Assembly of Kentucky, representing, as is believed, the undivided will and judgment of the people of Kentucky, that the Union of the States should be restored; and whereas, the mode of reconciling and adjusting the dissensions which have already partially dissolved our Union, and which threaten still further to alienate and dissolve the fraternal relations of the States, is now engaging the most earnest and solemn efforts of our people and States; and whereas, the cherished hope of the success of

these efforts would be frustrated by force or collision by the Federal or State authorities; therefore, be it

Resolved by the General Assembly of the Commonwealth of Kentucky, That whatever may be the conflicting judgments of the Federal or State authorities, as to the legal powers of force or coercion on the one side, or the right of resistance or self-defense on the other side, both the Federal and State authorities should carefully abstain from all action tending to further irritation or discord; that the existing status of possession, and all contested rights of property on jurisdiction, shall not be invaded during the pendency of efforts of reconciliation; and if, unhappily, all hope of the restoration of the Union shall be blasted, we solemnly protest against any compulsory action by the Federal authorities, against the people or authorities of the States, which have or may dissolve their union in the Confederacy, and recommend a fair and just partition of the common property of the United States, as well as the cultivation of the most amicable relations with such States.

Resolved, That copies of the foregoing preamble and resolution be forwarded by the Governor of Kentucky to the President of the United States, and to the Governors of each of the States.

Under a suspension of the rules, requiring joint resolutions to lie one day upon the table, it was

Ordered, That the Public Printer forthwith print 150 copies of the same for the use of the members of the General Assembly, and that the further consideration of said resolutions be postponed until 10½ o'clock to-morrow.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Irvin—1. A bill creating an additional voting place in Radford's precinct, in Calloway county.

On motion of Mr. Glenn—2. A bill the better to protect the rights of married women.

On motion of Mr. Andrews—3. A bill authorizing the county court of Fleming to purchase additional land for the use of the poor-house of said county.

On motion of Mr. Whitaker—4. A bill for the benefit of the legal representatives of John R. Baker.

On motion of Mr. Bruner—5. A bill to amend the charter of the Hardinsburg and Cloverport turnpike road company.

On motion of Mr. Gillis—6. A bill to amend the law in relation to the Whitley road.

On motion of Mr. Alexander—7. A bill for the benefit of E. T. Willis, presiding judge of the Adair county court,

On motion of Mr. Walton—8. A bill to charter the town of Hardystown, in Hart county.

On motion of Mr. Prall—9. A bill to incorporate the city of Paris.

On motion of same—10. A bill to incorporate the Frakes and Hildreth turnpike road company.

On motion of Mr. Rust—11. A bill to provide a chain-gang for the town of Greenupsburg.

On motion of Mr. Jenkins—12. A bill to establish an additional voting precinct in Ballard county.

On motion of Mr. Barrick—13. A bill changing the time of holding the magistrates' courts of Barren county.

On motion of Mr. Denny—14. A bill to charter the Silver Creek and Whitemill turnpike road company.

On motion of Mr. Davidson—15. A bill creating an additional voting place in Morgan county.

On motion of Mr. Fisk—16. A bill to amend the charter of the Covington and Cincinnati Bridge Company.

On motion of Mr. Alexander—17. A bill for the benefit of Sinclair Wheat, clerk of the Adair county court.

On motion of Mr. Irvin—18. A bill for the benefit of S. E. G. Cole, of Todd county.

Which were referred—the 1st to the Committee on Education; the 2d to a select committee composed of Messrs. Glenn, Rhea, Barrick, and Marshall; the 3d to a select committee composed of Messrs. Andrews, Whitaker, and McBrayer; the 4th to the Committee on Circuit Courts; the 5th, 6th, 10th, and 14th to the Committee on Internal Improvement; the 7th, 17th, and 18th to the Committee on Finance; the 8th, 9th, 11th, and 16th to the Committee on the Judiciary; the 12th and 15th to the Committee on Propositions and Grievances, and the 13th to the Committee on County Courts.

Mr. Grundy offered the following resolution, viz :

Resolved, That the Committee on Federal Relations be instructed to report a bill as early as practicable to the House, submitting the question to the qualified voters of Kentucky, whether or not they are in favor of a convention to consider the condition of our Federal Government, and Kentucky's best interest under the present crisis; and provide, in case the people decide in favor of a convention, the election of delegates, and the submission of their action back to their constituents for ratification, &c.

Mr. Andrews offered the following amendment, viz:

Strike out the words "instructed to report," and insert in lieu thereof, "requested to inquire into the expediency of reporting."

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Grundy and Walton, were as follows, viz:

Those who voted in the affirmative, were—

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|---------------------|-----------------------|--------------------|
| T. T. Alexander, | Samuel Haycraft, | L. H. Rousseau, |
| Landaff W. Andrews, | Samuel H. Jenkins, | James Simpson, |
| James R. Barrick, | John M. Johnson, | Harrison Taylor, |
| John B. Bruner, | Thornton F. Marshall, | Cyrenius Wait, |
| A. D. Cosby, | Chas. D. Pennebaker, | E. Dudley Walker, |
| George Denny, | John A. Prall, | C. J. Walton, |
| John F. Fisk, | William B. Read, | W. C. Whitaker—23. |
| William C. Gillis, | Albert G. Rhea, | |

Those who voted in the negative, were—

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|--|----------------------|
| Mr. Speaker, (Porter,) William S. Darnaby, | Thomas S. Grundy, |
| William T. Anthony, Alex. L. Davidson, | John L. Irvan, |
| Samuel H. Boles, J. E. Gibson, | William H. McBrayer, |
| Charles Chambers, Robert E. Glenn, | Henry M. Rust—14. |
| Benjamin P. Cissell, Asa P. Grover, | |

Mr. Whitaker offered the following amendment by way of a substitute for said resolution :

Resolved by the General Assembly of the Commonwealth of Kentucky, That in the opinion of this Legislature it is unwise, inexpedient, unconstitutional, and revolutionary in character, for this General Assembly to call a Convention of delegates from the people of Kentucky under the present condition of the Government of the United States, to alter the relation which Kentucky bears to the Constitution and Government of the United States.

On motion of Mr. Andrews,

Ordered, That the further consideration of said propositions be postponed until to-morrow at 12 o'clock A. M., and that the Public Printer forthwith print 150 copies of the same for the use of the members of the General Assembly.

The Senate then took up for consideration the resolution offered by Mr. Prall on a previous day.

Ordered, That said resolution be referred to the Committee on Federal Relations.

And then the Senate adjourned.

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TUESDAY, JANUARY 22, 1861.

Mr. Whitaker moved to correct the Journal of yesterday, so that it would show that he moved to strike out all after the word "resolved," in the resolution offered by the Senator from Washington, Mr. Grundy, and insert his amendment.

Ordered, That said correction be made.

Mr. DeHaven presented a memorial from the citizens of Henry county, asking that any action of the Legislature in regard to a convention be submitted to the people.

Which was received, the reading dispensed with, and referred to the Committee on Federal Relations.

Mr. Rhea read and laid upon the table the following joint resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That we sincerely and earnestly desire the perpetuation of the Union. Its downfall would be disastrous to human freedom, and if so terrible a catastrophe shall mark the history of this nation, the cause will be properly attributable to the fanaticism of the Northern section of the Confederacy. In such an hour our destiny will be found united with our native South.

Under a suspension of the rules, it was

Ordered, That the Public Printer forthwith print 150 copies of the same for the use of the members of the General Assembly.

Mr. Pennebaker offered the following preamble and resolution, viz:

The Senate at the last session having ordered 1,000 copies of the History of the Kentucky Penitentiary, and the same having been printed and now ready for distribution,

Resolved, That one copy of said report be laid on the table of each member of the House of Representatives; one hundred copies be tendered to the author of said report; fifty copies to be placed in the State Library; and the remainder distributed to the members of the Senate for distribution, and that the Public Printer be instructed to deliver the reports as above directed.

Which were adopted.

Mr. Anthony offered the following preamble and resolution, viz:

WHEREAS, The Western Lunatic Asylum of Kentucky, at Hopkinsville, having been recently destroyed by fire, and it being incumbent on the Legislature to rebuild the same upon a plan which, if possible, will avoid the recurrence of the contingency; be it therefore

Resolved, That the Committee on Finance be instructed to inquire into all questions in relation to said asylum; to examine all propositions for the reconstruction of the same—either at Hopkinsville or elsewhere—having special reference to making the same fire-proof; and to report upon what plan, and at what point, it will be most expedient to rebuild said asylum, together with the cost of so doing, so as to make it indestructible by fire, and having reference to the permanent interest of the Commonwealth.

Which were adopted.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Cosby—1. A bill to establish an additional voting precinct in Daviess county.

On motion of Mr. Read—2. A bill for the benefit of John Duncan, of Larue county.

On motion of Mr. Prall—3. A bill to incorporate the Paris Gas Company.

On motion of Mr. Read—4. A bill for the benefit of the tax payers of districts Nos. 1, 5, and 9, in Nelson county.

On motion of Mr. Irvan—5. A bill to amend the charter of the town of Canton, in Trigg county.

On motion of Mr. Rousseau—6. A bill for the benefit of the Louisville and Frankfort railroad company.

On motion of same—7. A bill to amend the law touching marriage and divorce.

On motion of Mr. Pennebaker—8. A bill creating an additional magistrates' district in Jefferson county.

On motion of Mr. DeHaven—9. A bill to incorporate the LaGrange Female Academy.

On motion of Mr. Gibson—10. A bill to establish an additional voting precinct in Owsley county.

On motion of Mr. Haycraft—11. A bill amending the laws relating to change of venue.

On motion of Mr. Pennebaker—12. A bill for the benefit of Wm. Wooldridge, of Woodford county.

Which were received, and referred—the 1st to the Committee on Propositions and Grievances; the 2d to the Committee on Finance; the 3d, 4th, 5th, 6th, 7th, 11th, and 12th to the Committee on the Judiciary; the 8th to the Committee on County Courts; the 9th to the Committee on Education, and the 10th to the Committee on Elections.

Mr. Johnson read and laid upon the table the following joint preamble and resolutions, viz:

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WHEREAS, Several of our sister States of the South have proclaimed their secession from the Government of the United States, and renounced their allegiance thereto; and whereas, other States are taking action tending to the same result, and which will, without doubt, be speedily consummated, unless arrested by timely consultation with those who are suffering the same grievances of which they complain, under circumstances vastly more oppressive and injurious; and whereas, notwithstanding Kentucky views, with the most lively apprehension, the momentous consequences to her happiness and prosperity involved in the destruction of the Union, she would by all means not inconsistent with her honor and independence, exhibit continual zeal for its preservation upon constitutional principles; and whereas, furthermore, Kentucky hopes and believes that her sisters of the South, whether claiming to be in or out of the Union, are willing to meet her in consultation; and believing that thereby results may be attained which will have a tendency to heal the breaches now existing between the North and South, finally leading to a restoration of peace and fellowship; therefore,

Resolved by the General Assembly of the Commonwealth of Kentucky, That twelve commissioners be appointed in the following manner, (to-wit:) one from each of the congressional districts in the State, by joint vote of the Senators and Representatives from said districts, and the two others to be appointed by the Governor. That all of said commissioners be duly commissioned by the Governor to represent the State of Kentucky, in a convention of the Southern States, to be convened at the earliest practicable moment, at the city of Nashville, or at such other suitable place as may be agreed upon, for consultation, and the adoption of such measures as will give full and complete protection to Southern institutions, having for their basis justice to every portion of the confederacy, and promising in their result peace and quiet upon the distracting subject of slavery, thereby strengthening and perpetuating the bonds of fraternal Union.

Resolved, That in the event of a harmonious conclusion being arrived at by said convention, the same shall be respectfully submitted to the people of the Northern States, through their Legislatures, as a basis for the settlement of all sectional differences, and asking their approval of the same in the most speedy manner practicable; and if approved, the same shall be, by a legitimate mode, ingrafted into the constitution of the United States as a part thereof.

Resolved, That in the event the meeting proposed with the Southern States shall be by them declined, or having met, shall be unable to come to any harmonious decision as to the proper and just terms of a settlement of those questions which have caused the secession of some of the States, and threaten the final disruption of the government, or if having agreed, the propositions for settlement shall be rejected by the people of the Northern States, either by direct action, or by a failure to consider the same within a reasonable time, then it shall be the duty of the Governor of this Commonwealth to order an election to be held throughout the State, at the earliest practicable moment, for the election of delegates to a convention, to take into

consideration the condition in which Kentucky will then be placed, and determining as to what shall be done for the protection of her interests and her honor, and the promotion of the general welfare of the people; the number of delegates to be the same as in the House of Representatives, and their election to be in the same manner as by law Representatives in said body are now elected.

Resolved, That the Governor of this Commonwealth be requested to forward to the Governors of each of the Southern States a copy of the foregoing resolutions, in such manner as he may deem most advisable, asking their co-operation therein, without delay, and tendering to them all our earnest solicitations for harmony and conciliation, so important at this time to the preservation of all our rights as citizens and States, and upon which hopes for future prosperity and happiness may be confidently based.

Resolved, That in case of a failure on the part of the Senators and Representatives as above to elect a commissioner from the congressional district in which they reside, then the Governor shall appoint some suitable person to represent that district in the convention aforesaid.

Resolved, That the members of this commission receive the same pay and mileage as members of this Legislature, and that the Governor be authorized to issue his warrant upon the treasury for such other sums as may in his judgment be necessary to carry into full effect and force the provisions of these resolutions.

Under a suspension of the rules, it was

Ordered, That the Public Printer forthwith print 150 copies of said resolutions for the use of the members of the General Assembly, and that they be referred to the Committee on Federal Relations.

On motion of Mr. Gillis, leave of absence was granted to Mr. Wait, the Senator from Pulaski.

The Senate then, according to order, took up for consideration the preamble and resolutions offered by the Senator from Union, Mr. Cissell, on a former day of the session.

Mr. Andrews moved to refer said resolutions to the Committee on Federal Relations.

And the question being taken on said motion, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Cissell and Glenn, were as follows, viz :

Those who voted in the affirmative, were—

| | | |
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| Landaff W. Andrews, | Samuel Haycraft, | L. H. Rousseau, |
| John B. Bruner, | Samuel H. Jenkins, | James Simpson, |
| A. D. Cosby, | John M. Johnson, | Harrison Taylor, |
| Samuel E. DeHaven, | Thornton F. Marshall, | E. Dudley Walker, |

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George Denny, Chas. D. Pennebaker, C. J. Walton,
John F. Fisk, William B. Read, W. C. Whitaker—20.
William C. Gillis, Albert G. Rhea,

Those who voted in the negative, were—

Mr. Speaker, (Porter,) Benjamin P. Cissell, Thomas S. Grundy,
T. T. Alexander, William S. Darnaby, John L. Irvan,
William T. Anthony, Alex. L. Davidson, William H. McBrayer,
James R. Barrick, J. E. Gibson, John A. Prall,
Samuel H. Boles, Robert E. Glenn, Henry M. Rust—17.
Charles Chambers, Asa P. Grover,

And so said resolutions were referred.

Under a suspension of the rules, the following bills were reported, viz:

By Mr. Andrews, from a select committee—A bill for the benefit of Fleming county.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bill having been dispensed with,

Ordered, That said bill be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with, and the same having been engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Under a suspension of the rules, Mr. Glenn, from a select committee, reported a bill of the following title, viz:

A bill the better to protect the rights of married women.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bill having been dispensed with,

Ordered, That said bill be referred to the Committee on the Judiciary.

A message was received from the House of Representatives, announcing that they had passed a resolution upon the subject of coercion.

The Senate then, according to order, took up for consideration the resolution offered by Mr. Grundy, and the amendment, by way of a substitute, offered by Mr. Whitaker.

Ordered, That the further consideration of said proposition be postponed for the present, and that the same be made the special order for Friday, January 25, at 11 o'clock A. M.

WEDNESDAY, JANUARY 23, 1861.

Mr. Andrews presented the petition of W. W. Cox, praying for a law for the benefit of sheriffs.

Which was received, the reading dispensed with, and referred to the Committee on Finance.

Mr. Cissell, from the Judiciary Committee, reported a bill of the following title, viz:

A bill to repeal chapter 1287, Session Acts of 1859-60, and to restore all statutes previously existing on the subject.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bill having been dispensed with.

Ordered, That the Public Printer forthwith print 150 copies of said bill for the use of the members of the General Assembly, and that the same be made the special order for to-morrow at 10 $\frac{1}{2}$ o'clock, A. M.

Mr. DeHaven, from the Committee on Finance, asked to be discharged from the further consideration of leave to bring in a bill for the benefit of John Duncan, of Larue county.

And the question being taken on granting said request, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Read and Gibson, were as follows, viz:

Those who voted in the affirmative, were—

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| Mr. Speaker, (Porter,) T. T. Alexander, William T. Anthony, Landaff W. Andrews, James R. Barrick, Samuel H. Boles, John B. Bruner, Benjamin P. Cissell, A. D. Cosby, | William S. Darnaby, Alex. L. Davidson, Samuel E. DeHaven, George Denny, Asa P. Grover, Thomas S. Grundy, John L. Irvan, Samuel H. Jenkins, John M. Johnson, | William H. McBrayer, Chas. D. Pennebaker, Albert G. Rhea, Henry M. Rust, James Simpson, Harrison Taylor, E. Dudley Walker, C. J. Walton, W. C. Whitaker—27. |
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Those who voted in the negative, were—

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| Charles Chambers, | William C. Gillis, | Thornton F. Marshall, |
| John F. Fisk, | Robert E. Glenn, | William B. Read—8. |
| J. E. Gibson, | Samuel Haycraft, | |

Mr. DeHaven, from the same committee, reported a bill of the following title, viz :

A bill for the benefit of John P. McLaughlin.

By Mr. Alexander, from the same committee, a bill of the following title, viz :

A bill for the benefit of E. T. Willis, presiding judge of the Adair county court.

By Mr. Irvan, from the Committee on Privileges and Elections—A bill relating to the voting places in Radford's precinct, in Calloway county.

Which were read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bills having been dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Alexander, from the majority of the committee appointed to bring in a bill for the benefit of Sinclair Wheat, clerk of the Adair county court, asked to be discharged from the further consideration of the same.

And said committee was discharged.

Mr. Walton moved to take up his motion, entered at a former day of the session, to reconsider the vote by which the Senate adopted the resolution offered by Mr. Simpson, recommending a call of a convention of the United States.

On motion of Mr. Simpson, the rules were suspended, and said motion was taken up for consideration.

Mr. Alexander moved to lay the motion to reconsider on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Cissell and Bruner, were as follows, viz :

Those who voted in the affirmative, were—

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| T. T. Alexander, | William C. Gillis, | John A. Prall, |
| Landaff W. Andrews, | Thomas S. Grundy, | William B. Read, |
| James R. Barrick, | Samuel Haycraft, | Albert G. Rhea, |
| John B. Bruner, | Samuel H. Jenkins, | James Simpson, |
| A. D. Cosby, | John M. Johnson, | Harrison Taylor, |
| George Denny, | Thornton F. Marshall, | C. J. Walton, |
| John F. Fisk, | Chas. D. Pennebaker, | W. C. Whitaker—21. |

Those who voted in the negative, were—

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| Mr. Speaker, (Porter,) William S. Darnaby, | Asa P. Grover, | |
| William T. Anthony, Alex. L. Davidson, | John L. Irvin, | |
| Samuel H. Boles, | Samuel E. DeHaven, | William H. McBrayer, |
| Charles Chambers, | J. E. Gibson, | Henry M. Rust, |
| Benjamin P. Cissell, | Robert E. Glenn, | E. Dudley Walker—15. |

The following joint resolutions were read and laid upon the table, viz:

By Mr. Chambers—

Resolved by the General Assembly of the Commonwealth of Kentucky,
That at a time such as the present manifestly and undeniably is, when the confederation of the States constituting the United States of America is in process of disintegration and disruption, and when some of said States have already assumed, and others are about to assume new governmental positions, and casting off the old, form new political relations, it is eminently proper and expedient that the sense of the people—the legal voters of the State of Kentucky—should be ascertained by a popular vote of said people as to the course of policy to be pursued by our State in this perilous crisis.

By Mr. Walker—

WHEREAS, South Carolina, Alabama, Mississippi, Florida, and Georgia, by the action of their people in convention assembled, have seceded from this Union; and whereas, there is reason to apprehend civil war, unless some just and equitable settlement of the vexed questions at issue between the different sections of the Union shall be perfected; and the people of Kentucky being anxious to prevent such a parricidal conflict; therefore, be it

Resolved by the General Assembly of the Commonwealth of Kentucky,
That the slaveholding States are hereby requested to meet us in convention, in the city of _____, in the State of _____, on the _____ day of _____ next, for the purpose of making a concerted and patriotic effort to maintain this glorious government of ours, the proudest triumph of civil and religious liberty, by agreeing upon what amendments to the present constitution are necessary to secure our rights within the present Union; and that such amendments as may be agreed upon, shall be submitted to all the States of this Union for their ratification and adoption.

Resolved, That we meet in such place as a majority of said States may suggest.

Resolved, That we most earnestly appeal to our Southern brethren to withhold any further action that tends to hasten secession, and destroy the National Government, at least until we make one more effort, by appealing to the source of all power, the people themselves.

Resolved, That we protest against coercion on the part of the Federal Government against any seceding State, believing that its exercise would seriously endanger, if not entirely banish, every hope of reconciliation and reconstruction.

Resolved, That the commissioners be appointed on joint ballot of the Senate and House of Representatives, to wait upon the Governors of the respective States, and lay the foregoing propositions before them.

Resolved, That in the event of our failure to accomplish the foregoing much desired purposes and objects, on or before the 1st day of — next, then the Governor of this Commonwealth is directed, by proclamation, to submit to the qualified voters thereof the proposition: Are you for a convention? and if a majority should decide affirmatively, then he shall appoint a time for the election of delegates, to meet in Frankfort, to determine what course Kentucky shall pursue in the present momentous crisis. The basis of representation shall be the same as for members in the House of Representatives by the last apportionment bill.

Resolved, The Governor is directed, by proclamation, to order an election for the purpose of selecting twelve delegates to represent us in said Southern convention; one in each congressional district, and two for the State at large.

Under a suspension of the rules, it was

Ordered, That the Public Printer forthwith print 150 copies of said resolutions for the use of the members of the General Assembly, and that said resolutions be referred to the Committee on Federal Relations.

A message was received from the House of Representatives, announcing that they had passed bills of the following titles, viz:

An act to regulate the terms of the circuit court of the county of Webster.

An act to amend an act, entitled "An act concerning free negroes, mulattoes, and emancipation."

On motion of Mr. Cissell,

Ordered, That the rules be suspended, and said bills were taken up from the Secretary's table.

Said bills were read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and third readings of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the House of Representatives, announcing that they had passed a resolution from the Senate, recommending a call of a convention of the United States, with an amendment.

Mr. Andrews offered the following resolution, viz:

Resolved, That the Inspector General of this Commonwealth be, and is hereby, requested to report to the Senate, at his earliest convenient time, the cost of arming, equipping, and maintaining, for one year, an army of five thousand soldiers, with the proportions of infantry, artillery, and cavalry. That he also report upon the amount and character of arms now belonging to the State, in good order; the number out of repair, and the cost of such repairs as are necessary, and what additional arms will be required.

Which was adopted.

Mr. DeHaven offered the following resolution, viz:

Resolved, That the Auditor of Public Accounts be requested to report to the Senate the number of delinquent sheriffs in this Commonwealth, the amount paid in by each delinquent, and amount due from each, the present deficit in the treasury, and the deficit on the 10th October, 1861.

Which was adopted.

Mr. Prall offered the following resolution, viz:

Resolved, That reporters from the various newspapers in the State be invited to seats in the Senate Chamber.

Which was adopted.

Leave to bring in bills for the following purposes was granted:

On motion of Mr. Boles—1. A bill for the benefit of Fleming Bates, late sheriff of Wayne county.

On motion of same—2. A bill to amend the Code of Practice in regard to verification of pleadings.

On motion of Mr. Cosby—3. A bill for the benefit of the common school commissioner, of Daviess county.

On motion of same—4. A bill to pay clerks and assessors for services rendered under the militia law.

On motion of same—5. A bill for the benefit of A. C. Tanner, clerk of the county court of McLean.

On motion of Mr. Grundy—6. A bill incorporating the town of Maxville, in Washington county.

On motion of Mr. Boles—7. A bill incorporating the Burkesville male and female academy.

On motion of same—8. A bill amending the acts incorporating the town of Burksville.

On motion of Mr. Darnaby—9. A bill amending the charter of the Stamping-Ground and Lecompt's Run turnpike road company.

On motion of Mr. Barrick—10. A bill to amend an act relating to the town of Glasgow.

On motion of Mr. Read—11. A bill changing the time of holding the Bullitt circuit court.

On motion of Mr. Cissell—12. A bill incorporating the town of Dixon, in Webster county.

Which were referred—the 1st, 4th, and 5th to the Committee on Finance; the 2d to the Committee on the Codes of Practice; the 3d and 7th to the Committee on Education; the 6th to the Committee on County Courts; the 8th, 10th, and 12th to the Committee on the Judiciary; the 9th to the Committee on Internal Improvement, and the 11th to the Committee on Circuit Courts.

Mr. Gillis, from the Committee on Enrollments, reported that the committee had examined bills of the following titles, viz:

An act to incorporate the Salvisa and Kirkwood turnpike road company.

An act to amend an act, entitled "An act concerning free negroes, mulattoes, and emancipation."

And that the same were correctly enrolled.

Whereupon the Speaker affixed his signature thereto, and they were returned to the committee to be presented to the Governor for his signature.

The Senate then took up for consideration the resolution offered by Mr. Rhea on a former day of the session.

Mr. Andrews moved to refer said resolution to the Committee on Federal Relations.

And the hour for adjournment having arrived, the Senate adjourned without having taken any action thereon.

THURSDAY, JANUARY 24, 1861.

Mr. Gillis presented the petition of Perry Steele, trustee of school district No. 17, of Whitley county, praying the passage of an act for the benefit of the trustees of said district.

Which was received, the reading dispensed with, and referred to the Committee on Education.

The following bills were reported, viz:

By Mr. Cissell, from the Committee on the Judiciary—

1. A bill to amend the charter of the Covington and Cincinnati Bridge Company.

By Mr. Taylor, from the Committee on Internal Improvement—

2. A bill to incorporate the Frake's and Hildreth turnpike road company.

3. A bill to amend the charter of the Stamping-Ground and Lecompt's Run turnpike.

By Mr. Fisk, from the Committee on the Revised Statutes—

4. A bill further to amend the law in relation to the Whitley road.

5. A bill to incorporate the Louisville Union Benevolent Association.

Which were read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bills having been dispensed with,

Ordered, That the Public Printer forthwith print 150 copies of the 1st for the use of the members of the General Assembly, and that the 2d, 3d, 4th, and 5th be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of said bills having been dispensed with, and the same having been engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The Senate then, according to special order, took up for consideration a bill of the following title, viz:

A bill to repeal chapter 1287, Session Acts 1859-60, and to restore all statutes previously existing on that subject.

Ordered, That said bill be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with, and the same having been engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Glenn—1. A bill to dispose of the surplus copies of Stanton's Revised Statutes.

On motion of Mr. Rust—2. A bill to amend the law in relation to the penitentiary.

On motion of same—3. A bill for the benefit of George W. Kouns, of Carter county.

On motion of Mr. Jenkins—4. A bill for the benefit of the trustees of school district No. 37, in Ballard county.

On motion of Mr. Rhea—5. A bill incorporating a company to construct a bridge over Muddy river, at Rochester.

On motion of Mr. Rousseau—6. A bill to amend chapter 86, of the Revised Statutes.

On motion of same—7. A bill for the benefit of D. S. Brown and others.

On motion of Mr. Pennebaker—8. A bill regulating the fees of constables.

On motion of Mr. Davidson—9. A bill for the benefit of Walter E. Easterling, of Morgan county.

On motion of Mr. Taylor—10. A bill providing for the sale of the Maysville and Big Sandy railroad.

On motion of Mr. Pennebaker—11. A bill regulating the fees of justices of the peace.

On motion of Mr. Jenkins—12. A bill for the benefit of N. J. Smith.

On motion of Mr. Irvin—13. A bill changing the time of holding circuit courts in Calloway and Marshall counties.

On motion of Mr. Rhea—14. A bill changing the time of holding the Logan levy court.

On motion of Mr. Whitaker—15. A bill for the benefit of the Taylorsville and Mount Eden turnpike road company.

On motion of Mr. Rhea—16. A bill increasing the fees of justices of the peace for certain services.

On motion of Mr. Walker—17. A bill to protect the citizens of this Commonwealth against small-pox.

Which were referred—the 1st to the Committee on the Library; the 2d to a select committee of Messrs. Rust, Marshall, and Grover; the 3d, 7th, and 9th to the Committee on Finance; the 4th to the Committee on Education; the 5th and 15th to the Committee on Internal Improvement; the 6th, 8th, and 11th to the Committee on Revised Statutes; the 10th and 12th to the Committee on the Judiciary; the 13th to the Committee on Circuit Courts; the 14th and 16th to the Committee on County Courts, and the 17th to a select committee of Messrs. Andrews, McBrayer, and Walker.

Mr. Grover offered the following resolution, viz:

Resolved, That the Committee on the Library be directed to ascertain and report the number of Revised Statutes (Wickliffe edition) now belonging to the State, the place where deposited, and how kept, and what disposition can be made of them most advantageous to the State, and that they report by bill or otherwise.

Which was adopted.

A message was received from the House of Representatives, announcing that they had passed a bill originating in the Senate, of the following title, viz:

An act for the benefit of Fleming county.

And that they had passed bills of the following titles, viz:

An act for the benefit of the common schools of Shelby and Knox counties.

An act for the benefit of Wm. M. Edrington, as administrator of William Phillips.

An act for the benefit of the Fayette county court.

An act establishing a circuit court in Wolfe county, and for other purposes.

An act to amend the charter of the Paris and Bethlehem turnpike road company.

Which were taken up from the Secretary's table and read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bills having been dispensed with,

Mr. Cissell moved to amend the first bill by adding after the words Knox county, "and Webster county."

Which was adopted.

Said bills were then ordered to be read a third time.

The rule of the Senate, constitutional provision, and third reading of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The Senate then took up for consideration the amendment proposed by the House of Representatives to the resolution offered by Mr. Simpson in the Senate at a former day of the session.

Mr. Simpson moved that the Senate concur in the amendment proposed by the House of Representatives, viz:

Resolved, That if the convention be called in accordance with the provisions of the foregoing resolutions, the Legislature of the Commonwealth of Kentucky suggest for the consideration of that convention, as a basis for settling existing difficulties, the adoption, by way of amendments to the constitution, the resolutions offered in the Senate of the United States by the Hon. John J. Crittenden.

And the question being taken on the adoption of said motion, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Walton and Pennebaker, were as follows, viz:

Those who voted in the affirmative, were—

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| Mr. Speaker, (Porter,) T. T. Alexander, | George Denny, John F. Fisk, | William H. McBrayer, C. D. Pennebaker, |
| William T. Anthony, Landaff W. Andrews, | J. E. Gibson, William C. Gillis, | John A. Prall, Willliam B. Read, |
| James R. Barrick, Samuel H. Boles, | Robert E. Glenn, Asa P. Grover, | Albert G. Rhea, L. H. Rousseau, |
| John B. Bruner, Charles Chambers, | Thomas S. Grundy, Samuel Haycraft, | Henry M. Rust, James Simpson, |
| Benjamin P. Cissell, A. D. Cosby, | John L. Irvan, John H. Jenkins, | Harrison Taylor, E. Dudley Walker, |
| William S. Darnaby, Alex. L. Davidson, | John M. Johnson, Thornton F. Marshall, | C. J. Walton, W. C. Whitaker—37. |
| Samuel E. DeHaven, | | |

In the negative—none.

Mr. Alexander moved to reconsider the vote by which the Senate concurred in the amendment proposed by the House of Representatives.

Mr. Prall moved to lay the motion on the table.

Which was adopted.

The Senate then, according to order, took up for consideration the resolution offered by Mr. Rhea on a former day of the session.

Messrs. Read and Prall moved the previous question.

And the question being taken, Shall the main question be now put? it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Cissell and Walton, were as follows, viz:

Those who voted in the affirmative, were—

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|---------------------|-----------------------|--------------------|
| T. T. Alexander, | George Denny, | William B. Read, |
| Landaff W. Andrews, | John F. Fisk, | L. H. Rousseau, |
| James R. Barrick, | William C. Gillis, | James Simpson, |
| John B. Bruner, | Samuel Haycraft, | Harrison Taylor, |
| Charles Chambers, | Samuel H. Jenkins, | E. Dudley Walker, |
| A. D. Cosby, | Thornton F. Marshall, | C. J. Walton, |
| Samuel E. DeHaven, | Chas. D. Pennebaker, | W. C. Whitaker—21. |

Those who voted in the negative, were—

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|------------------------|-------------------|----------------------|
| Mr. Speaker, (Porter.) | J. E. Gibson, | John M. Johnson, |
| William T. Anthony, | Robert E. Glenn, | William H. McBrayer, |
| Samuel H. Boles, | Asa P. Grover, | John A. Prall, |
| Benjamin P. Cissell, | Thomas S. Grundy, | Albert G. Rhea, |
| William S. Darnaby, | John L. Irvan, | Henry M. Rust—16. |
| Alex. L. Davidson, | | |

The question was then taken on referring said resolution to the Committee on Federal Relations.

The yeas and nays being required on said motion by Messrs. Cissell and Irvan, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---------------------|-----------------------|--------------------|
| T. T. Alexander, | John F. Fisk, | William B. Read, |
| Landaff W. Andrews, | William C. Gillis, | L. H. Rousseau, |
| James R. Barrick, | Samuel Haycraft, | James Simpson, |
| John B. Bruner, | Samuel H. Jenkins, | Harrison Taylor, |
| Charles Chambers, | Thornton F. Marshall, | E. Dudley Walker, |
| A. D. Cosby, | Chas. D. Pennebaker, | C. J. Walton, |
| Samuel E. DeHaven, | John A. Prall, | W. C. Whitaker—22. |
| George Denny, | | |

Those who voted in the negative, were—

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| Mr. Speaker, (Porter.) | Alex. L. Davidson, | John L. Irvan, |
| William T. Anthony, | J. E. Gibson, | John M. Johnson, |
| Samuel H. Boles, | Robert E. Glenn, | William H. McBrayer, |
| Benjamin P. Cissell, | Asa P. Grover, | Albert G. Rhea, |
| William S. Darnaby, | Thomas S. Grundy, | Henry M. Rust—15. |

And so said resolution was referred.

The Senate then took up for consideration resolutions from the House of Representatives upon the subject of coercion.

Mr. Bruner moved to refer said resolutions to the Committee on Federal Relations.

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Mr. Irvin moved to amend by instructing them to report it back to the Senate at 10½ o'clock on Saturday, January 26.

Which was rejected.

The yeas and nays being required on the motion to refer, by Messrs. Boles and Cissell, were as follows, viz:

Those who voted in the affirmative, were—

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|---|--|------------------------------------|
| Mr. Speaker, (Porter,) T. T. Alexander, | George Denny, John F. Fisk, | John A. Prall, William B. Read, |
| Landaff W. Andrews, James R. Barrick, | William C. Gillis, Thomas S. Grundy, | L. H. Rousseau, James Simpson, |
| John B. Bruner, Charles Chambers, | Samuel Haycraft, Samuel H. Jenkins, | Harrison Taylor, E. Dudley Walker, |
| A. D. Cosby, Samuel E. DeHaven, | Thornton F. Marshall, Chas. D. Pennebaker, | C. J. Walton, W. C. Whitaker—24. |

Those who voted in the negative, were—

| | | |
|--|--|---|
| William T. Anthony, Samuel H. Boles, Benjamin P. Cissell, William S. Darnaby, Alex. L. Davidson, | J. E. Gibson, Robert E. Glenn, Asa P. Grover, John L. Irvin, | John M. Johnson, William H. McBrayer, Albert G. Rhea, Henry M. Rust—13. |
|--|--|---|

And said resolutions were so referred.

And then the Senate adjourned.

FRIDAY, JANUARY 25, 1861.

1. Mr. Cissell presented the petition of John B. Cargile, praying the passage of an act for his benefit.

2. Mr. Pennebaker presented the petition of sundry citizens concerning political affairs.

Which were received, the reading dispensed with, and the 1st referred to the Committee on Finance; the 2d to the Committee on Federal Relations.

Mr. Cissell, from the Committee on the Judiciary, asked to be discharged from the further consideration of the following leaves, viz:

To bring in a bill for the benefit of William Wooldridge.

To bring in a bill authorizing the sheriff of Greenup county to collect tax on delinquent list.

Which was granted.

Mr. Cissell, from the same committee, reported bills of the following titles, viz:

1. A bill to incorporate the Lodge of Free and Accepted Masons of Muhlenburg.
2. A bill to incorporate the Odd Fellows' Hall Association of Louisville.
3. A bill to amend the charter of Elizabethtown.
4. A bill in relation to the Louisville and Frankfort railroad company.

By Mr. Simpson—

5. A bill the better to protect the rights of married women.

Which were read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bills having been dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of said bills having been dispensed with, and the same being engrossed,

Resolved, That the 1st, 2d, and 3d bills do pass, and that the titles thereof be as aforesaid.

The question was then taken on the passage of the 4th bill, and it was decided in the affirmative.

Said bill reads as follows, viz:

WHEREAS, Said company has been sued before justices of the peace, by one or more persons residing, or doing business on Jefferson street, in the city of Louisville, and is threatened with suit by many other persons, each claiming damages, for an alleged injury to his business, or property, by reason of the road, and cars running along in said street; and whereas, it is alleged that said parties purposely claim as damages small sums, in order to harass said company, and to avoid an appeal to higher courts; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That whenever said company shall or may be sued before a justice of the peace, by any person claiming damages for any injury done by said company within the city of Louisville, the party against whom judgment is rendered shall have the right, without reference to the amount in controversy, to prosecute an appeal from the same to the county court, within the time and upon the terms now prescribed by law for the prosecution of appeals from all judgments of the county court to the circuit court, within the time and upon the terms prescribed by law for the prosecution of appeals to said court.

§ 2. This act shall take effect from its passage.

The yeas and nays being required thereon by Messrs. Fisk and Darnaby, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker, (Porter,) T. T. Alexander, Landaff W. Andrews, James R. Barrick, John B. Bruner, Benjamin P. Cissell, A. D. Cosby, Alex. L. Davidson, Samuel E. DeHaven, | George Denny, J. E. Gibson, William C. Gillis, Robert E. Glenn, Asa P. Grover, Thomas S. Grundy, Samuel Haycraft, John L. Irvin, John M. Johnson, | Thornton F. Marshall, William H. McBryer, Chas. D. Pennebaker, William B. Read, Albert G. Rhea, Henry M. Rust, James Simpson, Harrison Taylor, W. C. Whitaker—27. |
|---|---|---|

Those who voted in the negative, were—

| | | |
|--|----------------------------------|-----------------------------------|
| Samuel H. Boles, Charles Chambers, William S. Darnaby, | John F. Fisk, Samuel H. Jenkins, | E. Dudley Walker, C. J. Walton—7. |
|--|----------------------------------|-----------------------------------|

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The question was then taken on the passage of the 5th bill, and it was decided in the negative.

Said bill is as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, Marriages, in addition to land and slaves, shall give to the husband during the life of the wife no estate or interest in her personal estate, money, or evidences of same, owned by her at the time of her marriage, or descend or be given to her after marriage, except the use and interest thereof, with power to loan the same no more than two years at any one time; nor shall such personal estate, money, or evidences of same, or the interest and profits arising therefrom, be liable or subject to the payment of any debt or responsibility contracted for before or after marriage; but shall be liable for only her debts contracted or incurred before marriage; and for such contracted after marriage, on account of necessaries for herself or any member of her family, her husband included, as shall be evidenced by writing, signed by her and her husband at the time said contract is made, the remedy may be against the husband and wife, or against the wife only, as the case may require.

§ 2. And in order to fully protect the wife upon her marriage, or should personal property, money, or evidences of same, descend, or be given to her after marriage, she may make out herself, or, in connection with her husband, an inventory of said property, money, and evidences of same, with the value thereof, and return it to the clerk's office in the county where they reside, with an affidavit that said inventory is correct, and the clerk shall record the same in a book to be kept for that purpose, which shall be evidence of the value and extent of her personal estate.

§ 3. Nor shall the husband's life estate, or curtesy in the same, be subject to the payment of any debt of his during the life of the wife; but should the husband survive the wife, said estate shall be his during his natural life; and should the wife survive the husband, said estate shall be hers.

§ 4. Husband and wife may dispose of her personal estate, money, or evidences of the same, in the same mode as the land of the wife may be sold and conveyed; and the proceeds shall be hers, unless otherwise expressly provided for in said conveyance.

§ 5. The husband shall not be liable for any debt or liability of the wife contracted by her before marriage, except he shall receive a sufficient amount of the proceeds of her personal property, money, &c., under the provisions of this act, as will pay her debt or debts; but shall be liable for necessaries furnished her after marriage.

§ 6. This act shall take effect from and after its passage.

The yeas and nays being required thereon by Messrs. Taylor and Pennebaker, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---------------------|-----------------------|----------------------|
| William T. Anthony, | Robert E. Glenn, | William B. Read, |
| James R. Barrick, | Samuel H. Jenkins, | Albert G. Rhea, |
| Samuel H. Boles, | John M. Johnson, | Henry M. Rust, |
| A. D. Cosby, | Thornton F. Marshall, | E. Dudley Walker—14. |
| J. E. Gibson, | John A. Prall, | |

Those who voted in the negative, were—

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|---|-----------------------------|---|
| Mr. Speaker, (Porter,) T. T. Alexander, | George Denny, John F. Fisk, | William H. McBrayer, Chas. D. Pennebaker, |
| Landaff W. Andrews, | William C. Gillis, | L. H. Rousseau, |
| John B. Bruner, | Asa P. Grover, | James Simpson, |
| Charles Chambers, | Thomas S. Grundy. | Harrison Taylor, |
| Benjamin P. Cissell, | Samuel Haycraft, | C. J. Walton, |
| Alex. L. Davidson, | John L. Irvin, | W. C. Whitaker—22. |
| Samuel E. DeHaven, | | |

And so said bill was rejected.

The following bills were reported, viz:

By Mr. Grundy, from the Committee on Propositions and Grievances—

A bill to change the Metcalfe county lines.

A bill to establish an additional voting place in the 3d district, in Ballard county.

By Mr. Taylor, from the Committee on Internal Improvement—

A bill for the benefit of the Taylorsville and Mount Eden turnpike road.

A bill to amend an act incorporating the Hardinsburg and Cloverport turnpike road company, approved February 23, 1860.

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Which were read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bills having been dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of said bills having been dispensed with, and the same having been engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The Senate then, according to special order, took up for consideration the resolution offered by Mr. Grundy on a former day of the session, and the amendments by way of a substitute offered by Mr. Whittaker.

Ordered, That said resolution and substitute be referred to the Committee on Federal Relations.

Mr. Cissell read and laid upon the table the following joint resolutions, viz :

Resolved by the General Assembly of the Commonwealth of Kentucky, That a convention of delegates from all the slaveholding States should assemble at Nashville, Tennessee, or such other place as a majority of the States co-operating may designate, on the 4th day of February, 1861, to digest and define the basis upon which, if possible, the Federal Union and the constitutional rights of the slave States may be perpetuated and preserved.

Resolved, That the General Assembly of Kentucky appoint a number of delegates to said convention of our ablest and wisest men, equal to our whole delegation in Congress, to be appointed in the following manner, to-wit: one from each of the Congressional districts in the State, by the joint vote of the Senators and Representatives from said districts, and the other two by the Governor, all of whom shall be by him commissioned to represent the State of Kentucky in said convention; and that the Governor of Kentucky immediately furnish copies of these resolutions to the Governors of the slaveholding States, and urge the participation of such States in said convention.

Resolved, That in the opinion of this General Assembly, such plan of adjustment should embrace the following propositions as amendments to the constitution of the United States:

First. A declaratory amendment that African slaves, as held under the institutions of the slaveholding States, shall be recognized as property, and entitled to the *status* of other property in the States where slavery exists; in all places within the exclusive jurisdiction of Congress within the slaves States; in all the territories south of 36 degrees 30 minutes; in the District of Columbia; in transit and

whilst temporarily sojourning with the owner in the non-slaveholding States and territories north of 36 degrees 30 minutes; and when fugitives from the owner in the several places above named, as well as in all places in the exclusive jurisdiction of Congress in the non-slaveholding States.

Second. That in all the territory now owned, or which may be hereafter acquired by the United States, south of the parallel of 36 degrees 30 minutes, African slavery shall be recognized as existing, and be protected by all the departments of the Federal and Territorial Governments; and in all north of that line, now owned or to be acquired, it shall not be recognized as existing; and whenever States formed out of any of said territory south of said line, having a population equal to that of a Congressional district, shall apply for admission into the Union, the same shall be admitted as slave States; whilst States north of the line, formed out of said territory, and having a population equal to a Congressional district, shall be admitted without slavery; but the States formed out of said territory, North and South, having been admitted as members of the Union, shall have all the powers over the institution of slavery possessed by the other States of the Union.

Third. Congress shall have no power to abolish slavery in places under its exclusive jurisdiction, and situate within the limits of States that permit the holding of slaves.

Fourth. Congress shall have no power to abolish slavery within the District of Columbia, as long as it exists in the adjoining States of Virginia and Maryland, or either, nor without the consent of the inhabitants, nor without just compensation made to such owners of slaves as do not consent to such abolishment. Nor shall Congress, at any time, prohibit officers of the Federal Government, or members of Congress whose duties require them to be in said District, from bringing with them their slaves, and holding them as such, during the time their duties may require them to remain there, and afterwards take them from the District.

Fifth. Congress shall have no power to prohibit or hinder the transportation of slaves from one State to another, or to a territory in which slaves are by law permitted to be held, whether that transportation be by land, navigable rivers, or by the sea.

Sixth. In addition to the fugitive slave clause, provide that when a slave has been demanded of the executive authority of the State to which he has fled, if he is not delivered, and the owner permitted to carry him out of the State in peace, that the State so failing, shall pay to the owner the value of such slave, and such damages as he may have sustained in attempting to reclaim his slave, and secure his right of action in the Supreme Court of the United States, with execution against the property of such State and of the individuals thereof.

Seventh. No future amendment of the constitution shall affect the six preceding articles, nor the third paragraph of the second section of the first article of the constitution, nor the third paragraph of the second section of the fourth article of said constitution, and no amendments shall be made to the constitution which will authorize or give

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to Congress any power to abolish or interfere with slavery in any of the States by whose laws it is or may be allowed or permitted.

Eighth. That slave property shall be rendered secure in transit through, or whilst temporarily sojourning, in non-slaveholding States or Territories, or in the District of Columbia.

Ninth. An amendment to the effect that all fugitives are to be deemed those offending the laws within the jurisdiction of the State, and who escape therefrom to other States; and that it is the duty of each State to suppress armed invasions of another State.

Resolved, That said convention of the slaveholding States, having agreed upon a basis of adjustment satisfactory to themselves, should, in the opinion of this General Assembly, refer it to a convention of all the States, slaveholding and non-slaveholding, in the manner following: It should invite all the States friendly to such plan of adjustment to elect delegates, in such manner as to reflect the popular will, to assemble in a constitutional convention of all the States, North and South, to be held at Richmond, Virginia, on the — day of February, 1861, to revise and perfect such plan of adjustment for its reference for final ratification and adoption by conventions of the States respectively.

Resolved, That should a plan of adjustment satisfactory to the South, not be acceded to by the requisite number of States to perfect amendments to the Constitution of the United States, it is the opinion of this General Assembly that the slaveholding States should adopt for themselves the Constitution of the United States, with such amendments as may be satisfactory to the slaveholding States; and that they should invite into a union with them all of the States of the North which are willing to abide such amended constitution and form of government; severing at once all connections with States refusing such reasonable guarantees to our future safety; such renewed conditions of Federal Union being first submitted, for ratification, to conventions of all the States respectively.

Resolved, That in the event the meeting proposed with the Southern States shall be by them declined, or having met, shall be unable to come to any harmonious decision as to the terms of settlement of those questions which have caused the secession of some of the States, and threaten the final disruption of the Government; or if, having agreed, the propositions for settlement shall be rejected by the Northern States, either by direct action, or failure, by the — day of —, 1861, to consider the same, then it shall be the duty of the Governor of this Commonwealth to order an election to be held throughout the State, at the earliest practicable day, for the election of delegates to a convention, to take into consideration the condition in which Kentucky will then be placed, and determine as to what shall be done for the protection of her interests and honor and the promotion of the general welfare of the people; the number of delegates to be the same as in the House of Representatives, and their election to be in the same manner as by law Representatives in said body are elected.

Resolved, That in the event of a failure of the Senators and Representatives to elect a commissioner in the manner aforesaid from the

Congressional district in which they live, then the Governor shall appoint some suitable person to represent the district in the convention aforesaid.

Resolved, That the members of this commission receive the same pay and mileage as members of this Legislature, and that the Governor be authorized to issue his warrant upon the treasury for such other sums as may in his judgment be necessary to carry into full effect and force the provisions of these resolutions.

Resolved, That the Governor of Kentucky furnish copies of these resolutions immediately to the Governors of the several slaveholding and non-slaveholding States.

Under a suspension of the rules, it was

Ordered, That the Public Printer forthwith print 150 copies of the same for the use of the members of the General Assembly, and that the said resolutions be referred to the Committee on Federal Relations.

Mr. Johnson, from the Committee on Banks, reported a bill of the following title, viz:

A bill to amend the charters of the banks of Kentucky.

Mr. Fisk, from the Committee on the Codes of Practice, reported a bill of the following title, viz:

A bill to amend the civil Code of Practice.

Which were read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bills having been dispensed with,

Ordered, That the Public Printer forthwith print 150 copies of the same for the use of the members of the General Assembly.

A message was received from the Governor by James W. Tate, Assistant Secretary of State, as follows:

COMMONWEALTH OF KENTUCKY,
Executive Department, January 25, 1861. {

Gentlemen of the Senate and House of Representatives:

I herewith inclose a copy of the resolutions passed by the General Assembly of the State of Virginia, which have been officially communicated to me.

In consideration of their patriotic and mediatorial character, and coming, as they do, from the mother of Kentucky, "of States and Presidents," I deem it proper to lay them before the General Assembly.

B. MAGOFFIN.

EXECUTIVE DEPARTMENT,
RICHMOND, January 20, 1861. }

SIR: I have the honor to transmit herewith resolutions adopted by the General Assembly of Virginia on yesterday.

Very respectfully,
JOHN LETCHER.

Preamble and resolutions adopted by the General Assembly of Virginia, January the 19th, 1861.

WHEREAS, It is the deliberate opinion of the General Assembly of Virginia, that unless the unhappy controversy, which now divides the States of this confederacy, shall be satisfactorily adjusted, a permanent dissolution of the Union is inevitable; and the General Assembly, representing the wishes of the people of the Commonwealth, is desirous of employing every reasonable means to avert so dire a calamity, and determined to make a final effort to restore the Union and the constitution, in the spirit in which they were established by the fathers of the republic; therefore,

Resolved, That on behalf of the Commonwealth of Virginia, an invitation is hereby extended to all such States, whether slaveholding or non-slaveholding, as are willing to unite with Virginia, in an earnest effort to adjust the present unhappy controversies, in the spirit in which the Constitution was originally formed, and consistently with its principles, so as to afford to the people of the slaveholding States adequate guarantees for the security of their rights, to appoint commissioners to meet on the 4th day of February next, in the city of Washington, similar commissioners appointed by Virginia, to consider, and, if practicable, agree upon some suitable adjustment.

Resolved, That ex-President John Tyler, William C. Rives, Judge John W. Brockenbrough, George W. Summers, and James A. Seddon are hereby appointed commissioners, whose duty it shall be to repair to the city of Washington, on the day designated in the foregoing resolution, to meet such commissioners as may be appointed by any of the said States, in accordance with the foregoing resolution.

Resolved, That if said commissioners, after full and free conference, shall agree upon any plan of adjustment requiring amendments of the Federal Constitution, for the further security of the rights of the people of the slaveholding States, they be requested to communicate the proposed amendments to Congress, for the purpose of having the same submitted by that body, according to the forms of the Constitution, to the several States for ratification.

Resolved, That if said Commissioners cannot agree on such adjustment, or, if agreeing, Congress shall refuse to submit for ratification such amendments as may be proposed, then the Commissioners of this State shall immediately communicate the result to the Executive of this Commonwealth, to be by him laid before the Convention of the people of Virginia and the General Assembly: *Provided*, That the said Commissioners be subject at all times to the control of the General Assembly, or, if in session, to that of the State Convention.

Resolved, That, in the opinion of the General Assembly of Virginia,

the propositions embraced in the resolutions presented to the Senate of the United States by the Hon. John J. Crittenden, so modified as that the first article proposed as an amendment to the Constitution of the United States shall apply to all the territory of the United States now held or hereafter acquired south of latitude thirty-six degrees and thirty minutes, and provide that slavery of the African race shall be effectually protected as property therein during the continuance of the territorial government, and the fourth article shall secure to the owners of slaves the right to transit with their slaves between and through the non-slaveholding States and Territories, constitute the basis of such an adjustment of the unhappy controversy which now divides the States of this Confederacy, as would be accepted by the people of this Commonwealth.

Resolved, That ex-President John Tyler is hereby appointed by the concurrent vote of each branch of the General Assembly, a Commissioner to the President of the United States, and Judge John Robertson is hereby appointed, by a like vote, a Commissioner to the State of South Carolina, and the other States that have seceded, or shall secede, with instructions respectfully to request the President of the United States and the authorities of such States to agree to abstain, pending the proceedings contemplated by the action of this General Assembly, from any and all acts calculated to produce a collision of arms between the States and the Government of the United States.

Resolved, That copies of the foregoing resolutions be forthwith telegraphed to the Executives of the several States, and also to the President of the United States, and that the Governor be requested to inform, without delay, the Commissioners of their appointment by the foregoing resolutions.

A copy from the Rolls.

WM. F. GORDON, JR.,
C. H. D. & K. R. of Va.

After the reading of the message and resolutions, and under a suspension of the rules,

Mr. Prall offered the following joint resolutions, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That we heartily respond to the invitation of the General Assembly of Virginia, and are "willing to unite with her in an earnest effort to adjust the present unhappy controversies, in the spirit in which the constitution was originally formed, and consistently with its principles, so as to afford to the people of the slaveholding States adequate guarantees for the security of their rights;" and that we appoint John J. Crittenden, L. W. Powell, Richard Hawes, Joshua F. Bell, and Charles A. Wickliffe, on behalf of the Commonwealth of Kentucky, to meet the commissioners from Virginia, and such other States as may be there represented, in the city of Washington, on the 4th day of February next, to agree upon and submit to Congress some basis for the adjustment of existing difficulties.

Resolved, That the Governor be requested to communicate copies of

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the above resolution to the executives of the several States of the Union.

Mr. Rust offered the following amendment by way of substitute:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Senators from Kentucky, in the Congress of the United States, together with the Representatives in Congress from Kentucky, to whom is added the Hon. John C. Breckinridge, are hereby appointed commissioners and vested with authority to represent Kentucky in the conference invited by Virginia, at the city of Washington, on the 4th of February, 1861.

Resolved, That His Excellency, the Governor, be requested to forward forthwith a copy of these resolutions to each of our Senators and Representatives in Congress, and to the Hon. John C. Breckinridge.

Ordered, That the Public Printer forthwith print 150 copies of said resolution and amendment for the use of the members of the General Assembly, and that said resolution and substitute be referred to the Committee on Federal Relations.

Under a suspension of the rules of the Senate, the following resolutions were offered and adopted:

By Mr. Cissell—

Resolved by the Senate of Kentucky, That the Committee on Federal Relations be, and they are hereby, authorized to employ a clerk for said committee.

By Mr. Pennebaker—

Resolved, That all the bills reported from the House of Representatives shall be taken up and referred to appropriate committees.

Mr. Gillis, from the Committee on Enrollments, reported that they had examined sundry enrolled resolutions and bills originating in the Senate, of the following titles, viz:

A resolution recommending a call of a convention of the United States.

An act for the benefit of Fleming county.

Also, a bill of the House of Representatives of the following title, viz:

An act to regulate the terms of the circuit court of the county of Webster.

And that the same were correctly enrolled.

Whereupon the Speaker affixed his signature thereto, and they were returned to the committee to be presented to the Governor for his signature.

The Senate then, according to order, took up a bill of the following title, viz :

A bill to amend the charter of the Covington and Cincinnati Bridge Company.

Ordered, That said bill be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with, and the same having been engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the House of Representatives, announcing that they had passed a bill, originating in the Senate, of the following title, viz :

An act to incorporate the Louisville Union Benevolent Association.

And that they had passed bills of the following titles, viz :

1. An act for the benefit of J. W. Hutcherson, of Elkton, Todd county.
2. An act to establish an additional justices' district in Jefferson county.
3. An act to establish an additional voting precinct in Larue county.
4. An act regulating the election of State officers in the county of Webster.
5. An act to change the line of an election district in Harrison county.
6. An act to incorporate Bell City, in the county of Crittenden.
7. An act regulating the time of holding the Whitley quarterly court.
8. An act repealing an act providing for the payment of the public debt of Greenup county.
9. An act to amend the charter of the town of Canton, in Trigg county.
10. An act to authorize the Calloway county court to change State roads.
11. An act applying the general mechanics' lien law to Boyd, Montgomery, and Webster counties.
12. An act repealing an act in relation to the town of Greenupburg.

13. An act to amend the charter of the Deposit Bank of Cynthiana.
14. An act to legalize certain proceedings of the Harrison county court, and for other purposes.
15. An act to change the name of the Eminence High School, in Henry county.
16. An act to enlarge the town limits of Pleasureville, in Henry county.
17. An act for the benefit of the Lexington and Newtown turnpike company.
18. An act supplemental to an act to amend an act concerning free negroes, &c.
19. An act to amend the laws in relation to the Cumberland Gap road, in Knox county.
20. An act to amend the charter of the Knob Lick turnpike road company.
21. An act concerning police and city courts, and the fees of county attorneys.
22. An act to change the time of holding the Livingston quarterly court.
23. An act for the benefit of school district No. 13, in Livingston county.
24. An act authorizing the Marshall county court to establish a road from Haydock's ferry to Paducah.
25. An act authorizing the Marshall county court to change a State road.
26. An act to amend the charter of the Helena turnpike road, in Mason county.
27. An act to incorporate the United Irish Association, of Maysville.
28. An act for the benefit of John C. Gibson, lessee of the Warsaw turnpike road.
29. An act in reference to magistrates' district No. 3, in Mercer county.
30. An act to permit the trustees of Greenville to change a street in said town.
31. An act to exempt certain citizens of Spencer county from working roads.

32. An act to authorize persons to make tunnels in the county of Whitley.

Which were taken up from the Secretary's table and read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bills having been dispensed with,

Mr. Cissell offered an amendment to the 1st,

Which was adopted.

Mr. Read offered an amendment to the 3d,

Which was adopted.

Ordered, That the 3d be referred to the Committee on Propositions and Grievances; the 4th, 8th, 12th, and 21st to the Committee on the Judiciary; the 10th to the Committee on County Courts; the 13th to the Committee on Banks; the 17th and 31st to the Committee on Internal Improvement, and the 23d to the Committee on Education.

Ordered, That the 1st, 2d, 5th, 6th, 7th, 9th, 11th, 14th, 15th, 16th, 18th, 19th, 20th, 22d, 24th, 25th, 26th, 27th, 28th, 29th, and 30th be read a third time.

The rule of the Senate, constitutional provision, and third reading of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The Senate then took up a bill from the House of Representatives of the following title, viz:

An act to authorize persons to make tunnels in the county of Whitley.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bill having been dispensed with,

It was announced that the bill was ready for amendment or commitment, at which time the hour of adjournment having arrived, the Senate adjourned without having taken any further action on said bill.

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SATURDAY, JANUARY 26, 1861.

1. Mr. Read presented the petition of Henry Nichols, of Nelson county, praying the passage of an act for the benefit of Dick Gore, a free negro.

2. Mr. Whitaker presented the petition of the President and Managers of the Elizabethtown and Bell Tavern turnpike road company, suggesting the propriety of the State giving to the counties in which said road lies the stock owned by the State in said road.

3. Mr. Taylor presented the opinion of the people of Mason county upon the political questions of the day, as expressed in a county meeting in said county.

4. Mr. Prall presented the petition of sundry citizens of Bath county, praying that an amendment be made to the charter of the town of Owingsville.

5. Mr. Gillis presented the petition of Elisha Smith, asking that a commissioner be appointed to make a settlement with the old Commonwealth's Bank.

Which were received, the reading dispensed with, and referred—the 1st, 4th, and 5th to the Committee on the Judiciary; the 2d to the Committee on Internal Improvement, and the 3d to the Committee on Federal Relations.

Bills of the following titles were reported from the following committees, viz:

By Mr. Irvin, from the Committee on Privileges and Elections—

A bill relating to the Flatwood's precinct, in Owsley county.

By Mr. Grover, from the Committee on Finance—

A bill for the benefit of Samuel Kitchen.

By Mr. Barrick, from the Committee on Education—

A bill to incorporate the LaGrange Female Academy.

A bill to incorporate the Burksville Male and Female Academy.

By Mr. Grundy, from a select committee—

A bill to incorporate the Greenville Stock Association.

Which were read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bills having been dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of said bills having been dispensed with, and the same having been engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The Speaker laid before the Senate the following response of the Inspector General to a resolution of the Senate.

[*For Report—See Legislative Document, No. 8.*]

Ordered, That the Public Printer forthwith print 150 copies of the same for the use of the members of the General Assembly.

The Speaker also laid before the Senate the response of the Auditor of Public Accounts to a resolution of the Senate.

A message was received from the House of Representatives, announcing that they had passed bills originating in the Senate, of the following titles, viz :

An act relating to the voting places in Radford's precinct, in Caloway county.

An act to incorporate the Frake's and Hildreth turnpike road company.

An act to amend the charter of the Stamping-Ground and Lecompt's Run turnpike.

An act to incorporate the Odd Fellows' Hall Association, of the city of Louisville.

An act to amend an act incorporating the Hardinsburg and Cloverport turnpike road company, approved 23d February, 1860.

And that they have passed bills of the following titles, viz :

An act to incorporate the Planters' Bank of Henderson.

An act for the benefit of Martin Looker & Co.

An act for the benefit of Ben. F. McClerndon.

An act to authorize the Boone county court to sell and convey their poor-house lands, and for other purposes.

An act to incorporate the town of Pitt's Point.

An act to amend an act, entitled "An act for the improvement of Licking river," approved March 1, 1860.

An act to incorporate the town of Dixon, in Webster county.

An act to amend chapter 86, of the Revised Statutes.

An act to repeal an act, entitled "An act for the benefit of Rudolph Black, of Bourbon county."

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An act to incorporate the Hopkinsville Gymnastic Club.

An act to amend an act incorporating the town of Brownsville, in Edmonson county, approved February 15, 1860.

And that they had passed resolutions appointing commissioners to the national conference, in pursuance of the resolutions of the Virginia Legislature.

A message was received from the Governor, by the hands of Hon. Thomas B. Monroe, jr., Secretary of State, announcing that he had approved and signed a resolution and bill which originated in the Senate, of the following titles, viz:

A resolution recommending a call of a convention of the United States.

An act for the benefit of Fleming county.

And that he had received from the Governer of the State of Tennessee, resolutions passed by the Legislature of said State, with the request that he would lay them before the General Assembly.

Ordered, That the resolutions communicated to the Senate by the Governor be referred to the Committee on Federal Relations, and that the Public Printer forthwith print 150 copies of the same for the use of the members of the General Assembly.

A message was received from the House of Representatives, announcing that they had passed a resolution authorizing the Governor to draw from the treasury the amount necessary to pay for the medals ordered by the Legislature at its last session.

The Committee on Federal Relations, according to order of the Senate, made a report, which is as follows, viz:

WHEREAS, The General Assembly of Virginia, with a view to make an effort to preserve the Union and the Constitution in the spirit in which they were established by the fathers of the Republic, have, by resolution, invited all the States who are willing to unite with her in an earnest effort to adjust the present unhappy controversies, to appoint Commissioners to meet on the 4th of February next, to consider, and, if practicable, agree upon some suitable adjustment:

Resolved, That we heartily accept the invitation of our old mother, Virginia, and that the following five Commissioners, viz: Wm. O. Butler, Jas. B. Clay, Joshua F. Bell, C. S. Morehead, and James Guthrie, be appointed to represent the State of Kentucky in the contemplated Convention, whose duty it shall be to repair to the city of Washington, on the day designated, to meet such Commissioners as may be appointed by any of the States, in accordance with the foregoing invitation.

Resolved, That if said Commissioners shall agree upon any plan of

adjustment requiring amendments of the Federal Constitution, they be requested to communicate the proposed amendments to Congress for the purpose of having the same submitted by that body, according to the forms of the Constitution, to the several States for ratification.

Resolved, That if said Commissioners cannot agree in an adjustment; or, if agreeing, Congress shall refuse to submit for ratification such amendments as may be proposed, the Commissioners of this State shall immediately communicate the result to the Executive of this Commonwealth, to be by him laid before this General Assembly.

Resolved, That in the opinion of the General Assembly the propositions embraced in the resolutions presented to the Senate of the United States, by Hon. John J. Crittenden, so construed as that the first article proposed as an amendment to the Constitution of the United States shall apply to all the territory of the United States now held, or hereafter acquired, south of latitude thirty-six degrees and thirty minutes; and provided that slavery of the African race shall be effectually protected as property therein during the continuance of the Territorial government, and the fourth article shall secure to the owners of slaves the right of transit with their slaves between and through the non-slaveholding States and Territories, constitute the basis of such an adjustment of the unhappy controversy which now divides the States of this Confederacy, as would be accepted by the people of this Commonwealth.

Resolved, That the Governor be, and he is hereby, requested to communicate information of the foregoing appointments to the Commissioners above named, at as early a day as practicable; and that he also communicate copies of the foregoing resolutions to the Executives of the respective States.

Mr. Read offered the following amendment, viz :

Strike out James Guthrie and insert "Charles A. Wickliffe."

Mr. Read withdrew said amendment with the consent of the Senate

Mr. Fisk offered the following amendment, viz :

Amend the report by adding the name of Charles A. Wickliffe.

Messrs. Alexander and Pennebaker moved the previous question.

And the question being taken, Shall the main question be now put? it was decided in the negative.

The yeas and nays being required thereon by Messrs. Fisk and Denny, were as follows, viz :

Those who voted in the affirmative, were—

| | | |
|---|---------------------|----------------------|
| Mr. Speaker, (Porter,) Benjamin P. Cissell, | Asa P. Grover, | |
| T. T. Alexander, | William S. Darnaby, | John L. Irvan, |
| William T. Anthony, | Alex. L. Davidson, | William H. McBrayer, |
| James R. Barrick, | J. E. Gibson, | Chas. D. Pennebaker, |
| Samuel H. Boles, | Robert E. Glenn, | L. H. Rousseau—16. |
| Charles Chambers, | | |

Those who voted in the negative, were—

| | | |
|---------------------|-----------------------|--------------------|
| Landaff W. Andrews, | Thomas S. Grundy, | Albert G. Rhea, |
| John B. Bruner, | Samuel Haycraft, | Henry M. Rust, |
| A. D. Cosby, | Samuel H. Jenkins, | James Simpson, |
| Samuel E. DeHaven, | John M. Johnson, | Harrison Taylor, |
| George Denny, | Thornton F. Marshall, | E. Dudley Walker, |
| John F. Fisk, | John A. Prall, | C. J. Walton, |
| William C. Gillis, | William B. Read, | W. C. Whitaker—21. |

And so said motion was rejected.

The question was then taken on the amendment offered by Mr. Fisk, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Fisk and Rust, were as follows, viz:

Those who voted in the affirmative, were—

| | |
|--|--------------------|
| Mr. Speaker, (Porter,) John F. Fisk, | C. D. Pennebaker, |
| T. T. Alexander, J. E. Gibson, | John A. Prall, |
| William T. Anthony, William C. Gillis, | Willliam B. Read, |
| Landaff W. Andrews, Robert E. Glenn, | Albert G. Rhea, |
| James R. Barrick, Thomas S. Grundy, | L. H. Rousseau, |
| John B. Bruner, Samuel Haycraft, | James Simpson, |
| Charles Chambers, Samuel H. Jenkins, | Harrison Taylor, |
| Alex. L. Davidson, John M. Johnson, | E. Dudley Walker, |
| Samuel E. DeHaven, Thornton F. Marshall, | C. J. Walton, |
| George Denny, William H. McBrayer, | W. C. Whitaker—30. |

Those who voted in the negative, were—

| | | |
|----------------------|---------------------|------------------|
| Samuel H. Boles, | William S. Darnaby, | John L. Irvan, |
| Benjamin P. Cissell, | Asa P. Grover, | Henry M. Rust—7. |
| A. D. Cosby, | | |

Mr. Cissell offered the following amendment, viz:

Amend by adding the name of Elijah Hise.

And the question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Rust and Irvan, were as follows, viz:

Those who voted in the affirmative, were—

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|---------------------------------------|----------------------|
| William T. Anthony, Robert E. Glenn, | William H. McBrayer, |
| James R. Barrick, Thomas S. Grundy, | John A. Prall, |
| Samuel H. Boles, John L. Irvan, | Albert G. Rhea, |
| Charles Chambers, Samuel H. Jenkins, | Henry M. Rust, |
| Benjamin P. Cissell, John M. Johnson, | C. J. Walton—16. |
| Alex. L. Davidson, | |

Those who voted in the negative, were—

| | | |
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| Mr. Speaker, (Porter,) T. T. Alexander, Landaff W. Andrews, John B. Bruner, A. D. Cosby, William S. Darnaby, Samuel E. DeHaven, | George Denny, John F. Fisk, J. E. Gibson, William C. Gillis, Asa P. Grover, Samuel Haycraft, Thornton F. Marshall, | Chas. D. Pennebaker, William B. Read, L. H. Rousseau, James Simpson, Harrison Taylor, E. Dudley Walker, W. C. Whitaker—21. |
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And so said amendment was rejected.

Messrs. Pennebaker and Denny moved the previous question.

And the question being taken, Shall the main question be now put? it was decided in the affirmative.

The question was then taken on the adoption of said report as amended, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Cissell and Denny, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
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| Mr. Speaker, (Porter,) T. T. Alexander, William T. Anthony, Landaff W. Andrews, James R. Barrick, Samuel H. Boles, John B. Bruner, Charles Chambers, Benjamin P. Cissell, A. D. Cosby, William S. Darnaby, Alex. L. Davidson, Samuel E. DeHaven, | George Denny, John F. Fisk, J. E. Gibson, William C. Gillis, Robert E. Glenn, Asa P. Grover, Thomas S. Grundy, Samuel Haycraft, John L. Irvan, Samuel H. Jenkins, John M. Johnson, Thornton F. Marshall, | William H. McBrayer, Chas. D. Pennebaker, John A. Prall, William B. Read, Albert G. Rhea, L. H. Rousseau, Henry M. Rust, James Simpson, Harrison Taylor, E. Dudley Walker, C. J. Walton, W. C. Whitaker—37. |
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In the negative—none.

And so said report was adopted.

Messrs. Haycraft and Davidson moved to reconsider the vote by which the Senate rejected a bill of the following title, viz:

A bill the better to protect the rights of married women.

And the further consideration of said motion was postponed for the present.

Mr. Gillis, from the Committee on Enrollments, reported that they had examined a bill originating in the Senate, of the following title, viz:

An act to incorporate the Louisville Union Benevolent Association.

Also, bills originating in the House of Representatives, of the following titles, viz :

An act for the benefit of Wm. M. Edrington, as administrator of William Phillips.

An act for the benefit of the Fayette county court.

An act establishing a circuit court in Wolfe county, and for other purposes.

An act to amend the charter of the Paris and Bethlehem turnpike road company.

Leave was granted to bring in bills of the following titles, viz :

On motion of Mr. Whitaker—1. A bill for the benefit of the Westport turnpike road company.

On motion of same—2. A bill to amend the charter of the Shelby railroad company.

On motion of Mr. Rhea—3. A bill to incorporate the town of Gordonsville.

On motion of Mr. Pennebaker—4. A bill to amend the charter of the Masonic Temple Association.

On motion of Mr. Walker—5. A bill for the benefit of the Ohio county court.

On motion of same—6. A bill to legalize the proceedings of the county court of Ohio.

Which were referred—the 1st to a select committee of Messrs. Whitaker, Andrews, and Jenkins; the 2d to the Committee on Internal Improvement; the 3d and 5th to the Committee on County Courts, and the 4th and 6th to the Committee on the Revised Statutes.

The Senate then took up for consideration a bill from the House of Representatives, of the following title, viz :

An act to authorize persons to make tunnels in the county of Whitley.

The action of the Senate having been cut off on yesterday by adjournment,

The question came up, Shall said bill be read a third time?

Ordered, That said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Also, bills of the following titles, viz:

1. An act for the benefit of Martin Looker & Co.

2. An act creating the Deposit Bank of Greenville.

3. An act to incorporate the Planters' Bank of Henderson.

Said bills were read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bills having been dispensed with,

Ordered, That the 3d be referred to the Committee on Banks; the 1st to the Committee on Finance, and that the 2d be read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with,

The question was taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Grover and Jenkins, were as follows, viz:

Those who voted in the affirmative, were—

William T. Anthony, A. D. Cosby,

William H. McBrayer,

Landaff W. Andrews, William C. Gillis,

Chas. D. Pennebaker,

James R. Barrick, Robert E. Glenn,

L. H. Rousseau,

John B. Bruner, John M. Johnson,

Harrison Taylor—13.

Benjamin P. Cissell,

Those who voted in the negative, were—

Mr. Speaker, (Porter,) J. E. Gibson,

William B. Read,

T. T. Alexander, Asa P. Grover,

Albert G. Rhea,

Samuel H. Boles, Thomas S. Grundy,

Henry M. Rust,

William S. Darnaby, John L. Irvin,

James Simpson,

Alex. L. Davidson, Samuel H. Jenkins,

Claiborne J. Walton,

Samuel E. DeHaven, Thornton F. Marshall,

W. C. Whitaker—20.

George Denny, John A. Prall,

Messrs. Whitaker and Denny moved to reconsider the vote by which the Senate rejected said bill, and the further consideration of said motion was postponed for the present.

And then the Senate adjourned.

MONDAY, JANUARY 28, 1861.

1. Mr. Grundy presented the petition of sundry citizens of Springfield, praying an enlargement of the limits of said town; also, the remonstrance of sundry citizens of said town against said extension.

2. Mr. Rhea presented the petition of sundry citizens of Butler and Warren counties, praying the passage of some measure by which the people might be relieved from the great pressure upon them.

3. Mr. Johnson presented the petition of James Weir, praying a settlement of the present distracting political questions, and suggesting a remedy for the same.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on the Judiciary; the 2d to the Committee on Finance, and the 3d to the Committee on Federal Relations.

Mr. Fisk, from the Committee on the Revised Statutes, reported bills of the following titles, viz:

1. A bill regulating the fees of justices of the peace.
2. A bill to amend the charter of Louisville.

Which were read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bills having been dispensed with,

Ordered, That the 1st be placed in the orders of the day, and that the 2d be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with, and the same having been engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Johnson, from the Committee on Banks, reported a bill of the House of Representatives, of the following title, viz:

An act to amend the charter of the Deposit Bank of Cynthiana.

Said bill having been read a third time,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Grundy, from a select committee, reported a bill of the following title, viz :

A bill for the benefit of the sheriff of Washington county.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bill having been dispensed with,

Various amendments were offered and accepted by different Senators.

Ordered, That said bill, as amended, be referred to the Committee on Finance, with instructions to report it back to the Senate on Wednesday, January 30, at 11 o'clock, A. M.

A message was received from the House of Representatives, announcing that they had concurred in a resolution of the Senate, appointing commissioners to a conference of the States of the Union on the 4th of February, at the city of Washington, in accordance with the invitation of Virginia.

And a bill originating in the Senate, of the following title, viz:

An act further to amend the law in relation to the Whitley road.

And that they had passed bills of the following titles, viz:

An act for the benefit of William Southerland, of Nelson county.

An act to amend an act, entitled "An act to incorporate the Verona and Morningview turnpike road company."

An act to extend the corporate limits of Lebanon.

An act for the benefit of the late sheriffs of Greenup, Lawrence, and Carter counties.

An act to amend the laws regulating tolls at the toll-gates in Rockcastle county.

An act for the benefit of Wilson Brown, of Rockcastle county.

An act to incorporate the Iron Moulders' Local Union, of Covington.

An act to incorporate the Licking River Mining and Manufacturing Company.

An act to change the time of holding the quarterly court in Jackson county, and to legalize proceedings of said court.

And that they had passed resolutions returning thanks to those persons in the northern States opposed to abolitionism; and that they had received official information from the Governor, that he had signed and

approved sundry bills which originated in the House of Representatives, of the following titles, viz :

An act to incorporate the Salvisa and Kirkwood turnpike road company.

An act to regulate the terms of the circuit court in the county of Webster.

An act to amend an act, entitled "An act concerning free negroes, mulattoes, and emancipation."

And that a bill which passed the General Assembly at its last session, of the following title, viz :

An act to amend an act incorporating the Lexington and Winchester turnpike road company,

Had, by virtue of the Constitution, become a law.

The following resolutions were offered, viz :

By Mr. Read—

Resolved by the Senate of Kentucky, That the Committee on Finance is hereby requested to inquire into the expediency of borrowing from the Sinking Fund a sufficient amount of money to meet the deficiency in the revenue for the years 1861 and 1862, and also for the purpose of rebuilding the Western Lunatic Asylum, and report by bill or otherwise.

Which was adopted.

By Mr. Chambers—

Resolved, That the committee on the apportionment of representation be requested to examine and inquire whether or not additional legislation be necessary to equalize and regulate senatorial elections and representation, and to report by bill or otherwise.

Which was adopted.

By Mr. Anthony—

Resolved, That the Committee on the Judiciary be requested to inquire into the expediency of reporting a bill amending the execution law, so as to require all collecting officers in the State, after levying on property, and before offering for sale, to summon two disinterested housekeepers to value said property, and if it does not bring two thirds of its value, no sale.

Which was adopted.

Mr. Walton read and laid upon the table the following joint resolution, viz :

Resolved by the General Assembly of Kentucky, That when the Legislature adjourns on Monday, February 4th, at 12, M., it will adjourn *sine die*.

Mr. Alexander read and laid upon the table the following joint resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That under the Constitution we have no right in our official capacity to call a convention of delegates from the people of Kentucky, at this time, to alter, amend, or abolish the present Constitution of Kentucky, nor to change our relations to the Government of the United States.

On motion of Mr. Alexander, the rules were suspended.

Ordered, That the Public Printer forthwith print 150 copies of the same for the use of the members of the General Assembly.

Leave was granted to bring in bills of the following titles, viz:

On motion of Mr. Johnson—1. A bill for the benefit of James G. Edens, of McCracken county.

On motion of Mr. Prall—2. A bill for the benefit of school district No. 37, in Bath county.

On motion of Mr. Grundy—3. A bill defining the jurisdiction of the chancery court in Marion and Washington counties.

On motion of Mr. Simpson—4. A bill to amend the charter of the Winchester and Mount Sterling turnpike road company.

On motion of Mr. Gillis—5. A bill authorizing certain records in the clerk's office of Rockcastle county to be transcribed.

On motion of Mr. Cissell—6. A bill to amend an act, entitled "An act to prevent fraudulent assignments."

On motion of Mr. Davidson—7. A bill appointing commissioners to run and mark the line of Wolfe county, and for other purposes.

On motion of Mr. Alexander—8. A bill for the benefit of the marshal of Danville.

On motion of Mr. Grover—9. A bill to incorporate the town of Gratz, in Owen county.

On motion of Mr. Irvan—10. A bill incorporating the town of Roaring Spring, in Trigg county.

On motion of Mr. Pennebaker—11. A bill to change the time of holding the Bullitt circuit court.

On motion of same—12. A bill to create an additional magistrates' district for that portion of Louisville known as Portland.

Which were referred—the 1st, 6th, and 12th to the Committee on the Judiciary; the 2d to the Committee on Education; the 3d, 5th, and 11th to the Committee on Circuit Courts; the 4th to the Committee on Internal Improvement; the 7th to the Committee on Propositions and Grievances; the 8th to a select committee composed of Messrs. Alex-

ander, Johnson, and Anthony; the 9th to the Committee on the Revised Statutes, and the 10th to a select committee composed of Messrs. Irvan, Johnson, and Jenkins.

Mr. Alexander, from the Committee on the Library, reported a bill of the following title, viz:

A bill requiring the Secretary of State to sell Stanton's Revised Statutes.

Which were read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bill having been dispensed with,

Ordered, That said bill be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with, and the same having been engrossed,

The question was taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Alexander and Denny, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker, (Porter,) T. T. Alexander, William T. Anthony, James R. Barrick, Samuel H. Boles, Charles Chambers, Benjamin P. Cissell, A. D. Cosby, Alex. L. Davidson, | Samuel E. DeHaven, George Denny, J. E. Gibson, William C. Gillis, Robert E. Glenn, Asa P. Grover, Thomas S. Grundy, John L. Irvan, Samuel H. Jenkins, | John M. Johnson, William H. McBryer, John A. Prall, Albert G. Rhea, L. H. Rousseau, Henry M. Rust, E. Dudley Walker, C. J. Walton, W. C. Whitaker—27. |
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Those who voted in the negative, were—

| | | |
|---|--|--|
| Landaff W. Andrews, John B. Bruner, William S. Darnaby, | John F. Fisk, Samuel Haycraft, Thornton F. Marshall, | Chas. D. Pennebaker, James Simpson, Harrison Taylor—9. |
|---|--|--|

Messrs. Whitaker and Gibson moved to reconsider the vote by which the Senate passed the above bill.

And the question being taken on said motion, it was decided in the affirmative.

On motion of Mr. Grover, the vote by which the third reading of said bill was dispensed with, was reconsidered.

On motion of Mr. Whitaker, the vote by which said bill was ordered to be read a third time, was reconsidered.

On motion of Mr. Grover,

Ordered, That said bill be referred to the Committee on Revised Statutes.

On motion of Mr. Walker, the Senate took up the motion entered on Saturday by Messrs. Whitaker and Denny, to reconsider the vote by which the Senate rejected a bill from the House of Representatives, of the following title, viz:

An act creating the Deposit Bank of Greenville.

And the question being taken on said motion, it was adopted.

Ordered, That said bill be placed in the orders of the day.

The Senate then took up for consideration a bill of the following title, viz:

A bill to amend the charters of the banks of Kentucky.

Mr. Alexander offered an amendment to said bill, which was adopted.

Mr. Glenn offered further to amend said bill.

Mr. Pennebaker offered an amendment to the amendment offered by Mr. Glenn.

And the further consideration of said proposition was cut off by the following message from the Governor, received by the hands of Hon. T. B. Monroe, jr., Secretary of State:

EXECUTIVE OFFICE,
Frankfort, Ky., Jan. 28, 1861. }

Gentlemen of the Senate and House of Representatives:

The Hon. Robert P. Letcher died at his residence in this city, on Thursday last. The funeral rites take place to-day. Although he was not, at the time of his death, officially connected with the Government, yet his eminent services through a long public life in the General Assembly, in the Congress of the United States, as an ambassador of our court at a foreign country, and as the Chief Magistrate of this Commonwealth, demand such an expression from the Representatives of the people as will be appropriate to the melancholy occasion. The grateful remembrance of the patriotic efforts of the faithful public servant is a distinguishing characteristic of our people; and a more suitable occasion for its manifestation cannot be afforded than that which has occurred by the departure, in our midst, of the venerable and patriotic statesman whose loss we all so deeply deplore.

B. MAGOFFIN.

A message was received from the House of Representatives, announcing that they had passed the following resolutions, viz:

Resolved, That it is with profound grief that the General Assembly has received this information. He was distinguished for his patriotism, his eminent public services as a member of Congress, as Governor of Kentucky, and as Minister to Mexico. By his death Kentucky has been deprived of a citizen who filled the high offices conferred upon him by the people of Kentucky, and the National Government, with eminent ability and with distinguished honor to his country.

Resolved, That the General Assembly will meet at the Capitol at two o'clock this evening, and in a body attend his funeral. That the Speaker of this House appoint twelve, and the Speaker of the Senate six pall-bearers to attend his body to the grave. That we wear the usual badge of mourning for 30 days.

Resolved, That we do now adjourn.

On motion of Mr. Andrews, said resolutions were taken up, twice read, and concurred in.

The Speaker appointed Messrs. Andrews, Johnson, Read, Grover, Simpson, and Denny.

And then the Senate adjourned.

TUESDAY, JANUARY 29, 1861.

1. Mr. Fisk presented the petition of, in the form of instruction to himself and the Representative in the House of Representatives, from the county of Campbell, by sundry citizens of Campbell county, as to the proper course of action to be pursued in the present political crisis.

2. Mr. Cosby presented the petition of sundry persons, praying the passage of an act for the benefit of the towns of Rumsey and Calhoun.

3. Mr. Rousseau presented the petition of Bertha Harris, praying the passage of an act for her benefit.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Federal Relations; the 2d to the Committee on Propositions and Grievances, and the 3d to the Committee on the Judiciary.

Bills of the following titles were reported, viz:

By Mr. Cissell, from the Committee on the Judiciary—

An act regulating the election of State officers in the county of Webster.

By Mr. Rust, from the Committee on County Courts—

An act to authorize the Calloway county court to change State roads.

By Mr. Taylor, from the Committee on Internal Improvement—

An act to exempt certain citizens of Spencer county from working roads.

Which were read a third time.

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

By Mr. Rousseau, from the Committee on the Judiciary—

A bill authorizing the election of police judge and marshal of Hazle-green.

By Mr. Whitaker, from the Committee on Circuit Courts—

A bill to change the time of holding the Calloway and Marshall circuit courts.

By Mr. Rust, from the Committee on County Courts—

A bill changing the time of holding the magistrates' courts in Barren county.

By Mr. Prall, from the same committee—

A bill for the benefit of the Bath county court.

By same—

A bill to amend the charter of the town of Owingsville.

By Mr. Taylor, from the Committee on Internal Improvement—

A bill to amend the charter of the Shelby railroad.

A bill to incorporate the Silver Creek and Whitemill turnpike road company.

By Mr. Simpson, from the same committee—

A bill to amend the charter of the Winchester and Mount Sterling turnpike road company.

By Mr. Walton, from the same committee—

A bill providing the donation of the State's stock in the Elizabeth-town and Bell's Tavern turnpike road company.

By Mr. Barrick, from the Committee on Education—

A bill for the benefit of school district No. 37, in the county of Bath.

By Mr. Gillis, from the same committee—

A bill for the benefit of school district No. 17, in Whitley county.

Said bills were read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bills having been dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the House of Representatives, announcing that they had passed bills originating in the Senate, of the following titles, viz :

An act for the benefit of John P. McLaughlin.

An act in relation to the Louisville and Frankfort railroad company.

An act for the benefit of the Taylorsville and Mount Eden turnpike road company.

And that they had passed bills of the following titles, viz :

An act to incorporate the Deposit Bank of New Liberty.

An act for the benefit of John M. Todd and William R. Campbell.

An act to sell some of the public books.

An act to repeal an act, entitled "An act to authorize the citizens of Warsaw to elect a police judge and marshal."

An act for the benefit of Garrard county.

An act to amend the charter of the Harmony and Fork turnpike road company.

An act for the benefit of the police judge and town marshal of New Liberty, in Owen county.

An act to amend an act, entitled "An act to charter the Pulaski turnpike road company."

An act for the benefit of R. H. Perry, of Kenton county.

Mr. Rust, from the Committee on Federal Relations, reported the resolution offered by Mr. Rhea on a former day of the session, as the opinion of the majority of said committee.

Mr. Simpson, from same committee, offered a substitute for the majority report, as expressive of the views of a minority of said committee.

Mr. Cissell, from same committee, made a report of a minority of said committee, Mr. Cissell's report being the resolutions offered on a former day of this session by Mr. Johnson.

Mr. Prall also made a minority report from same committee.

Mr. DeHaven offered an amendment to the majority report made by Mr. Rust, by way of a substitute for said report.

Mr. DeHaven withdrew his amendment for the purpose of permitting Mr. Simpson to offer a report of a minority of said committee.

Ordered, That the Public Printer forthwith print 150 copies of said propositions for the use of the members of the General Assembly.

Mr. Gillis, from the Committee on Enrollments, reported that they had examined sundry enrolled bills originating in the Senate, of the following titles, viz:

An act relating to the voting places in Radford's precinct, in Cal-
loway county.

An act to incorporate the Frake's and Hildreth turnpike road com-
pany.

An act to amend the charter of the Stamping-Ground and Lecompt's
Run turnpike.

An act further to amend the law in relation to the Whitley road.

An act to incorporate the Odd Fellows' Hall Association, of the
city of Louisville.

An act to amend an act incorporating the Hardinsburg and Clover-
port turnpike road company, approved 23d February, 1860.

Resolution authorizing the Governor to draw money from the treas-
ury to pay for medals ordered at the last session of the Legislature.

Resolutions appointing commissioners to attend the conference at
the city of Washington on February 4th.

Also bills originating in the House of Representatives, of the follow-
ing titles:

An act to establish an additional justices' district in Jefferson
county.

An act to change the line of election district No. 4, in Harrison
county.

An act regulating the times of holding the Whitley quarterly courts.

And that the same were correctly enrolled.

Whereupon, the Speaker signed the same, and they were delivered
to the Committee on Enrollments, to be by them presented to the Gov-
ernor for his signature.

The Speaker laid before the Senate the following communication:

CARROLLTON, KENTUCKY,
January 28, 1861.}

To His Excellency, BERIAH MAGOFFIN, Governor of Kentucky:

Sr: I had the honor to receive by last night's mail your telegraphic dispatch, in which you inform me that I have been appointed by the Legislature, in conjunction with five other gentlemen named in your note, to represent the people of Kentucky in the convention to be held in Washington city on the 4th of February next. You express the hope that I will accept the appointment. My acceptance is a matter of course; and it only remains for me to thank the Legislature, through your Excellency, for the high trust they have reposed in me, with the assurance on my part that it will not be abused.

With very high regard,

Your friend, &c.,

W. O. BUTLER.

Ordered, That the Public Printer forthwith print 150 copies of the same for the use of the members of the General Assembly.

Mr. Taylor, from the Committee on Internal Improvement, asked to be discharged from the further consideration of a leave to bring in a bill to extend State aid to railroads and turnpikes.

And the question being taken on discharging said committee, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Cissell and Jenkins, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|--|--|--|
| Mr. Speaker, (Porter,) T. T. Alexander, William T. Anthony, Landaff W. Andrews, James R. Barrick, Samuel H. Boles, Charles Chambers, Benjamin P. Cissell, A. D. Cosby, William S. Darnaby, | Alex. L. Davidson, Samuel E. DeHaven, George Denny, William C. Gillis, Robert E. Glenn, Asa P. Grover, Samuel Haycraft, John L. Irvan, Samuel H. Jenkins, John M. Johnson, | William H. McBrayer, Chas. D. Pennebaker, John A. Prall, Albert G. Rhea, James Simpson, Harrison Taylor, Cyrenius Wait, E. Dudley Walker, C. J. Walton—29. |
|--|--|--|

Those who voted in the negative, were—

| | | |
|---|--|----------------------------------|
| John B. Bruner, John F. Fisk, J. E. Gibson, | Thornton F. Marshall, William B. Read, L. H. Rousseau, | Henry M. Rust, W. C. Whitaker—8. |
|---|--|----------------------------------|

And so said committee was discharged.

Under a suspension of the rules, Mr. Andrews offered the following resolution :

Resolved, That the Committee on Finance be requested to report as soon as practicable, for the consideration of the Senate, a joint resolution providing for the mileage and per diem of the commissioners appointed to meet other commissioners at Washington, D. C.

Which was adopted.

The hour having arrived, the Senate took up, according to the general order, a bill of the following title, viz:

A bill to amend the charters of the banks of Kentucky.

The question pending on the adjournment on yesterday being an amendment offered by Mr. Pennebaker to the amendment offered by Mr. Glenn.

Which was rejected.

The question was then taken on the amendment offered by Mr. Glenn, which is as follows:

Strike out the word "on," at the end of the third line, and the word "thousand," in the fourth line, and insert "five hundred."

And it was decided in the negative.

The yeas and nays being required thereon by Messrs. Glenn and Walker, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|--------------------|----------------------|-------------------|
| A. D. Cosby, | Robert E. Glenn, | L. H. Rousseau, |
| Alex. L. Davidson, | John L. Irvan, | Harrison Taylor, |
| Samuel E. DeHaven, | John M. Johnson, | E. Dudley Walker, |
| J. E. Gibson, | William H. McBrayer, | C. J. Walton—12. |

Those who voted in the negative, were—

| | | |
|----------------------|-----------------------|----------------------|
| T. T. Alexander, | William S. Darnaby, | Chas. D. Pennebaker, |
| William T. Anthony, | George Denny, | John A. Prall, |
| Landaff W. Andrews, | John F. Fisk, | William B. Read, |
| James R. Barrick, | William C. Gillis, | Albert G. Rhea, |
| Samuel H. Boles, | Asa P. Grover, | Henry M. Rust, |
| John B. Bruner, | Samuel Haycraft, | James Simpson, |
| Charles Chambers, | Samuel H. Jenkins, | Cyrenius Wait, |
| Benjamin P. Cissell, | Thornton F. Marshall, | W. C. Whitaker—24. |

And so said amendment was rejected.

Mr. Glenn moved further to amend said bill.

Mr. Fisk offered an amendment to the amendment offered by Mr. Glenn.

Mr. Bruner offered a substitute to the proposed amendments.

Pending the discussion of which, the hour of adjournment having arrived, the Senate adjourned.

WEDNESDAY, JANUARY 30, 1861.

The Speaker laid before the Senate the response of the Auditor of Public Accounts, to a resolution of the Senate passed at a former day of the session, as follows, viz :

AUDITOR'S OFFICE, KY.,
Frankfort, January 29, 1861. }

HON. THOS. P. PORTER, *Speaker of the Senate of Kentucky*:

SIR : In response to a resolution of the Senate of the 23d inst., in relation to the revenue of the State, I have the honor of making the following report, to-wit :

No. 1.

A STATEMENT, showing the amount of Revenue originally charged to each county in the Commonwealth for the year 1860, with the amount which each has now paid in, and the balance yet due from each, on the 24th January, 1861, to-wit :

| | DEBITS & CREDITS. | BALANCE DUE. |
|---|-------------------|-----------------|
| <i>Sheriff Adair County:</i> | | |
| To Commissioners' books, Auditor's list, additional lists, &c.. | \$5,705 34 | |
| By payments, delinquents, commissions, &c.----- | 5,601 94 | <u>\$103 40</u> |
| <i>Sheriff Allen County:</i> | | |
| To Commissioners' books, Auditor's list, additional lists, &c.. | \$6,751 57 | |
| By payments, delinquents, commissions, &c.----- | 3,644 05 | <u>3,107 52</u> |
| <i>Sheriff Anderson County:</i> | | |
| To Commissioners' books, Auditor's list, additional lists, &c.. | \$5,493 03 | |
| By payments, delinquents, commissions, &c.----- | 1,065 87 | <u>4,427 16</u> |
| <i>Sheriff Ballard County:</i> | | |
| To Commissioners' books, Auditor's list, additional lists, &c.. | \$6,126 69 | |
| By payments, delinquents, commissions, &c.----- | 1,742 84 | <u>4,383 85</u> |
| <i>Sheriff Barren County:</i> | | |
| To Commissioners' books, Auditor's list, additional lists, &c.. | \$13,446 47 | |
| By payments, delinquents, commissions, &c.----- | 10,966 61 | <u>2,479 86</u> |
| <i>Sheriff Bath County:</i> | | |
| To Commissioners' books and Auditor's list----- | \$9,029 95 | |
| By payments and commissions----- | 8,422 15 | <u>607 80</u> |
| <i>Sheriff Boone County:</i> | | |
| To Commissioners' books and Auditor's list----- | \$13,805 26 | |
| By payments, exonerations, delinquents, commissions, &c.----- | 13,805 26 | |
| <i>Sheriff Bourbon County:</i> | | |
| To Commissioner's books, Auditor's and Clerks' lists----- | \$31,327 78 | |
| By payments, exonerations, and commissions----- | 31,327 78 | |
| <i>Sheriff Boyle County:</i> | | |
| To Commissioners' books and Auditor's list----- | \$12,042 35 | |
| By payments and commissions----- | 12,021 27 | <u>21 08</u> |

DEBITS & CREDITS. BALANCE DUE.

Sheriff Bracken County:

| | |
|--|-----------------|
| To Commissioners' books, Auditor's and Clerks' lists | \$6,288 10 |
| By settlement in full | <u>6,288 10</u> |

Sheriff Boyd County:

| | |
|-----------------------------------|-----------------|
| To Commissioners' books | \$2,960 30 |
| By payments and commissions | <u>2,488 00</u> |

472 30

Sheriff Breathitt County:

| | |
|--|---------------|
| To Commissioners' books and Auditor's list | \$1,511 72 |
| By commissions | <u>110 72</u> |

1,401 00

Sheriff Buller County:

| | |
|---|-----------------|
| To Commissioners' books, Auditor's and additional lists | \$4,275 88 |
| By payments, delinquents, commissions, &c. | <u>3,951 82</u> |

324 06

Sheriff Breckinridge County:

| | |
|--|-----------------|
| To Commissioners' books, Auditor's and Clerks' lists | \$9,249 82 |
| By payments and commissions | <u>9,249 82</u> |

Sheriff Bullitt County:

| | |
|--|-----------------|
| To Commissioners' books, Auditor's and Clerks' lists | \$6,762 80 |
| By payments, delinquents, commissions, &c. | <u>6,513 93</u> |

248 87

| | |
|-----------------------------|-------------------|
| No. 1. { Total debits | \$134,777 06 |
| { Total credits | <u>117,200 16</u> |
| { Total balance due | \$17,576 90 |

No. 2.

DEBITS & CREDITS. BALANCE DUE.

Sheriff Caldwell County:

| | |
|--|-----------------|
| To Commissioners' books, Auditor's and Clerks' lists | \$9,172 54 |
| By payments, commissions, and exonerations | <u>4,947 23</u> |

\$4,225 31

Sheriff Campbell County:

| | |
|---|------------------|
| To Commissioners' books, Auditor's and additional lists | \$12,321 98 |
| By payments, delinquents, and commissions | <u>12,321 98</u> |

\$12,321 98

\$12,321 98

Sheriff Calloway County:

| | |
|--|-----------------|
| To Commissioners' books, Auditor's and Clerks' lists | \$7,631 68 |
| By payments, delinquents, commissions, &c. | <u>7,631 68</u> |

\$7,631 68

\$7,631 68

[Sheriff Calloway county paid \$249 70 over the amount charged to him, which amount was refunded.]

Sheriff Carroll County:

| | |
|---|-----------------|
| To Commissioners' books, Auditor's and additional lists | \$6,594 03 |
| By payments, delinquents, commissions, &c. | <u>6,325 15</u> |

268 88

Sheriff Casey County:

| | |
|---|---------------|
| To Commissioners' books, and Auditor's list | \$3,546 20 |
| By payments and commissions | <u>396 79</u> |

\$3,546 20

\$396 79

3,149 41

Sheriff Carter County:

| | |
|--|---------------|
| To Commissioners' books and Auditor's list | \$2,731 43 |
| By payments, delinquents, commissions, &c. | <u>938 41</u> |

\$2,731 43

\$938 41

\$1,793 02

JAN. 30.

JAN. 30.]

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BALANCE DUE.

Sheriff Christian County:

| | DEBITS & CREDITS. | BALANCE DUE. |
|--|-------------------|--------------|
| To Commissioners' books, Auditor's and Clerks' lists | \$26,036 68 | |
| By payments, delinquents, commissions, &c. | 11,242 81 | |
| | <hr/> | |
| | 14,793 87 | |

Sheriff Clarke County:

| | | |
|--|-------------|--|
| To Commissioners' books and Auditor's list | \$17,854 35 | |
| By payments, delinquents, commissions, &c. | 17,854 35 | |
| | <hr/> | |

Sheriff Clinton County:

| | | |
|--|------------|--|
| To Commissioners' books, Auditor's list, and license tax | \$2,729 06 | |
| By delinquents and commissions | 175 87 | |
| | <hr/> | |
| | 2,553 19 | |

Sheriff Clay County:

| | | |
|---|------------|--|
| To Commissioners' books and license tax | \$1,869 33 | |
| By payment and commissions | 1,439 62 | |
| | <hr/> | |
| | 429 71 | |

Sheriff Cumberland County:

| | | |
|--|------------|--|
| To Commissioners' books, and Auditor's list, and license tax | \$4,981 81 | |
| By payments, delinquents, and commissions | 4,921 64 | |
| | <hr/> | |
| | 60 17 | |

Sheriff Crittenden County:

| | | |
|--|------------|--|
| To Commissioners' books, Auditor's and Clerks' lists | \$5,065 85 | |
| By payments, exonerations, commissions, &c. | 3,186 45 | |
| | <hr/> | |
| | 1,879 40 | |

Sheriff Daviess County:

| | | |
|--|-------------|--|
| To Commissioners' books and Auditor's list | \$17,537 38 | |
| By payments, exonerations, and commissions | 8,568 01 | |
| | <hr/> | |
| | 8,969 37 | |

Sheriff Edmonson County:

| | | |
|---|------------|--|
| To Commissioners' books, and Auditor's lists | \$1,737 80 | |
| By payments, delinquents, exonerations, and commissions | 1,737 80 | |
| | <hr/> | |

Sheriff Estill County:

| | | |
|--|------------|--|
| To Commissioners' books and Auditor's list | \$3,619 48 | |
| By commissions | 227 14 | |
| | <hr/> | |
| | 3,392 34 | |

Sheriff Fayette County:

| | | |
|--|-------------|--|
| To Commissioners' books and Auditor's list | \$40,412 77 | |
| By payments, exonerations, and commissions | 39,411 65 | |
| | <hr/> | |
| | \$1,001 12 | |

| | | |
|-----------------------|--------------|--|
| No. 2. { Total debits | \$163,842 37 | |
| Total credits | 121,326 58 | |
| Total balance due | <hr/> | |
| | \$42,515 79 | |

No. 3.

DEBITS & CREDITS. BALANCE DUE.

Sheriff Fleming County:

| | | |
|--|-------------|--|
| To Commissioners' books, Auditor's and Clerks' lists | \$13,037 08 | |
| By settlement | 13,037 08 | |
| | <hr/> | |

Sheriff Fulton County:

| | | |
|---|------------|--|
| To Commissioners' books, and Auditor's list | \$3,849 28 | |
| By payments and commissions | 1,608 76 | |
| | <hr/> | |
| | 2,240 52 | |

\$1,793 02

| | | DEBITS & CREDITS. | BALANCE DUE. |
|---|--|-------------------|--------------|
| <i>Sheriff Floyd County:</i> | | | |
| To Commissioners' books and Auditor's list | | \$1,660 04 | |
| By commissions | | 119 60 | 1,540 44 |
| <i>Sheriff Franklin County:</i> | | | |
| To Commissioners' books and Auditor's list | | \$13,294 49 | |
| By payments and commissions | | 8,508 85 | 4,785 64 |
| <i>Sheriff Gallatin County:</i> | | | |
| To Commissioner's books, Auditor's and Clerks' lists | | \$4,706 16 | |
| By payments and commissions | | 4,642 08 | 64 08 |
| <i>Sheriff Grayson County:</i> | | | |
| To Commissioners' books and Auditor's list | | \$3,606 69 | |
| By payment, delinquents, and commissions | | 943 47 | 2,663 22 |
| <i>Sheriff Graves County:</i> | | | |
| To Commissioners' books and Auditor's list | | \$12,984 37 | |
| By payment and commissions | | 1,394 89 | 11,589 48 |
| <i>Sheriff Grant County:</i> | | | |
| To Commissioners' books, Auditor's, Clerks', and additional lists | | \$6,805 43 | |
| By payments, exonerations, and commissions | | 5,414 62 | 1,390 81 |
| <i>Sheriff Garrard County:</i> | | | |
| To Commissioners' books and Auditor's list | | \$12,760 11 | |
| By payments and commissions | | 7,540 30 | 5,219 81 |
| <i>Sheriff Greenup County:</i> | | | |
| To Commissioners' books, Auditor's lists, &c. | | \$5,668 06 | |
| By payments, delinquents, commissions, &c. | | 5,668 06 | |
| <i>Sheriff Green County:</i> | | | |
| To Commissioners' books, Auditor's and Clerks' lists | | \$6,120 13 | |
| By payments and commissions | | 2,083 12 | 4,037 01 |
| <i>Sheriff Hancock County:</i> | | | |
| To Commissioners' books, Auditor's list, and additional list | | \$4,522 21 | |
| By payments, delinquents, commissions, &c. | | 4,522 21 | |
| <i>Sheriff Hardin County:</i> | | | |
| To Commissioners' books and Auditor's lists | | \$10,770 65 | |
| By payments and commissions | | 10,660 11 | 110 54 |
| <i>Sheriff Harlan County:</i> | | | |
| To Commissioners' books | | \$1,598 35 | |
| By payments and commissions | | 515 90 | 1,082 45 |
| <i>Sheriff Harrison County:</i> | | | |
| To Commissioners' books, Auditor's and Clerks' lists | | \$17,973 40 | |
| By payments, commissions, and exonerations | | 11,253 08 | 6,720 32 |

ICE DUE.

,540 44

,785 64

64 08

,663 22

,589 48

,390 81

,219 81

,037 01

110 54

,082 45

,720 32

Sheriff Hart County:

| | | DEBITS & CREDITS. | BALANCE DUE. |
|--|-------------------|-------------------|--------------|
| To Commissioners' books, Auditor's and Clerks' lists | | \$5,845 83 | |
| By settlement | | 5,845 83 | |
| | | | |
| No. 3. | { Total debits | \$125,202 28 | |
| | Total credits | 83,757 96 | |
| | Total balance due | \$41,444 32 | |

No. 4.

DEBITS & CREDITS. BALANCE DUE.

Sheriff Henderson County:

| | | | |
|--|--|-------------|------------|
| To Commissioners' books, Auditor's list, Clerks' list, &c. | | \$22,874 01 | |
| By payments, delinquents, commissions, &c. | | 15,315 84 | |
| | | | \$7,558 17 |

Sheriff Henry County:

| | | | |
|---|--|-------------|----------|
| To Commissioners' books and Auditor's lists | | \$13,789 78 | |
| By payments and commissions | | 8,418 70 | |
| | | | 5,371 08 |

Sheriff Hickman County:

| | | | |
|--|--|------------|---------|
| To Commissioners' books, Auditor's and Clerk's lists | | \$5,947 36 | |
| By payments, commissions, &c. | | 1,887 43 | |
| | | | 4,059 9 |

Sheriff Hopkins County:

| | | | |
|---|--|-------------|----------|
| To Commissioners' books and Auditor's and Clerks' lists | | \$12,254 92 | |
| By payments, delinquents, commissions, &c. | | 3,080 17 | |
| | | | 9,174 75 |

Sheriff Jackson County:

| | | | |
|--|--|----------|--------|
| To Commissioners' books and Auditor's list | | \$640 71 | |
| By payments, delinquents, and commissions, &c. | | 282 10 | |
| | | | 358 61 |

Sheriff Jessamine County:

| | | | |
|---|--|-------------|--------|
| To Commissioners' books, Auditor's and additional lists | | \$15,011 41 | |
| By payments, delinquents, commissions, &c. | | 14,694 94 | |
| | | | 316 47 |

Sheriff Johnson County:

| | | | |
|--|--|------------|--------|
| To Commissioners' books and Auditor's list | | \$1,486 22 | |
| By payments, delinquents, and commissions | | 817 36 | |
| | | | 668 86 |

Sheriff Jefferson County:

| | | | |
|--|--|--------------|-----------|
| To Commissioners' books and Auditor's list | | \$123,069 49 | |
| By payments, delinquents, commissions, &c. | | 87,009 61 | |
| | | | 36,059 88 |

Sheriff Kenton County:

| | | | |
|--|--|-------------|----------|
| To Commissioners' books and Auditor's list | | \$28,041 18 | |
| By payments, delinquents, commissions, &c. | | 21,541 18 | |
| | | | 6,500 00 |

Sheriff Knox County:

| | | | |
|--|--|------------|----------|
| To Commissioners' books and Auditor's list | | \$2,975 65 | |
| By payments and commissions | | 1,138 80 | |
| | | | 1,836 85 |

Sheriff Larue County:

| | | | |
|--|--|------------|-------|
| To Commissioners' books and Auditor's list | | \$4,591 49 | |
| By payments, exonerations, and commissions | | 4,571 49 | |
| | | | 20 00 |

DEBITS & CREDITS. BALANCE DUE.

Sheriff Laurel County:

| | |
|--|------------|
| To Commissioners' books and Auditor's list ----- | \$1,622 42 |
| By settlement ----- | 1,622 42 |
| | <hr/> |

Sheriff Lawrence County:

| | |
|--|------------|
| To Commissioners' books and Auditor's list ----- | \$2,558 49 |
| By payments, delinquents, commissions, &c. ----- | 1,051 02 |
| | <hr/> |

1,507 47

Sheriff Letcher County:

| | |
|-------------------------------|----------|
| To Commissioners' books ----- | \$876 72 |
| By commissions ----- | 70 16 |
| | <hr/> |

806 56

Sheriff Lewis County:

| | |
|---|------------|
| To Commissioners' books, Auditor's, Clerks', and additional lists ----- | \$4,900 19 |
| By payments, delinquents, commissions, &c. ----- | 3,958 26 |
| | <hr/> |

941 93

Sheriff Lincoln County:

| | |
|--|-------------|
| To Commissioners' books, Auditor's list, &c. ----- | \$13,277 89 |
| By payments, delinquents, commissions, &c. ----- | 10,127 11 |
| | <hr/> |

3,150 78

| | |
|-----------------------------|--------------|
| No. 4. { Total debits ----- | \$253,917 93 |
| Total credits ----- | 175,586 59 |
| | <hr/> |
| Total balance due ----- | \$78,331 34 |

No. 5.

DEBITS & CREDITS. BALANCE DUE.

Sheriff Livingston County:

| | |
|--|------------|
| To Commissioners' books, Auditor's and Clerks' lists ----- | \$5,235 83 |
| By payments, delinquents, commissions, &c. ----- | 3,885 81 |
| | <hr/> |

1,350 02

Sheriff Logan County:

| | |
|--|-------------|
| To Commissioners' books, Auditor's and Clerks' lists ----- | \$19,353 85 |
| By payments and commissions ----- | 15,054 13 |
| | <hr/> |

4,299 72

Sheriff Lyon County:

| | |
|--|------------|
| To Commissioners' books and Auditor's list ----- | \$4,207 44 |
| By payments and commissions ----- | 2,636 21 |
| | <hr/> |

1,571 23

Sheriff Madison County:

| | |
|--|-------------|
| To Commissioners' books and Auditors' list ----- | \$26,763 90 |
| By payments and commissions ----- | 24,194 65 |
| | <hr/> |

2,569 25

Sheriff McLean County:

| | |
|--|------------|
| To Commissioners' books and Auditor's list ----- | \$4,529 14 |
| By payments, delinquents, and commissions, (over paid) ----- | 4,529 14 |
| | <hr/> |

\$4,529 14

Sheriff Marshall County:

| | |
|--|------------|
| To Commissioners' books and Auditor's list ----- | \$3,967 86 |
| By settlement ----- | 3,967 86 |
| | <hr/> |

\$3,967 86

Sheriff Mason County:

| | |
|--|-------------|
| To Commissioners' books and Auditor's list ----- | \$21,382 87 |
| By settlement ----- | 21,382 87 |
| | <hr/> |

\$21,382 87

ANCE DUE.

1,507 47

806 56

941 93

3,150 78

53,917 93

75,586 59

78,331 34

LANCE DUE.

1,350 02

4,299 72

1,571 23

2,569 25

Sheriff McCracken County :

| | DEBITS & CREDITS. | BALANCE DUE. |
|---|-------------------|--------------|
| To Commissioners' books and Auditor's list----- | \$11,479 55 | |
| By settlement (over paid)----- | 11,479 55 | |

Sheriff Meade County :

| | | |
|---|------------|--|
| To Commissioners' books, Auditor's and Clerks' lists----- | \$6,384 14 | |
| By payments, delinquents, commissions, &c.----- | 3,916 93 | |
| | <hr/> | |
| | 2,467 21 | |

Sheriff Mercer County :

| | | |
|---|-------------|--|
| To Commissioners' books, Auditor's and license lists----- | \$14,020 99 | |
| By settlement----- | 14,020 99 | |
| | <hr/> | |

Sheriff Monroe County :

| | | |
|---|------------|--|
| To Commissioners' books and Auditor's list----- | \$4,410 48 | |
| By payments and commissions----- | 4,403 81 | |
| | <hr/> | |

6 67

Sheriff Montgomery County :

| | | |
|---|-------------|--|
| To Commissioners' books, Auditor's and Clerks' lists----- | \$12,276 76 | |
| By settlement----- | 12,276 76 | |
| | <hr/> | |

Sheriff Morgan County :

| | | |
|--|------------|--|
| To Commissioners' books, and Auditor's list----- | \$3,192 79 | |
| By commissions----- | 197 72 | |
| | <hr/> | |

2,995 07

Sheriff Muhlenburg County :

| | | |
|---|------------|--|
| To Commissioners' books and Auditor's list----- | \$7,090 56 | |
| By payments, commissions, &c.----- | 2,175 34 | |
| | <hr/> | |

4,915 22

Sheriff Metcalfe County :

| | | |
|------------------------------------|------------|--|
| To Commissioners' books, &c.----- | \$3,274 43 | |
| By payments, commissions, &c.----- | 2,849 44 | |
| | <hr/> | |

424 99

Sheriff Magoffin County :

| | | |
|---|------------|--|
| To Commissioners' books and Clerks' list----- | \$1,927 39 | |
| By commissions----- | 93 62 | |
| | <hr/> | |

1,133 77

| | | |
|----------------------------|--------------|--|
| No. 5. { Total debits----- | \$148,797 98 | |
| Total credits----- | 127,064 83 | |
| | <hr/> | |
| Total balance due----- | \$21,733 15 | |

No. 6.

Sheriff Marion County :

[The Commissioners' books for this county have not been returned.]

DEBITS & CREDITS. BALANCE DUE.

| | | |
|--|-------------|--|
| To Commissioners' books, Auditor's, and additional list----- | \$19,831 18 | |
| By payments, delinquents, commissions, &c.----- | 16,495 29 | |
| | <hr/> | |

\$3,335 89

Sheriff Nelson County :

| | | |
|--|-------------|--|
| To Commissioners' books, Auditor's and Clerks' lists, &c.----- | \$10,034 13 | |
| By settlement----- | 10,034 13 | |
| | <hr/> | |

| | DEBITS & CREDITS. | BALANCE DUE |
|--|-------------------|-------------|
| <i>Sheriff Ohio County:</i> | | |
| To Commissioners' books and Auditor's list | \$8,016 99 | |
| By delinquents and commissions | 428 06 | 7,588 93 |
| <i>Sheriff Oldham County:</i> | | |
| To Commissioners' books, Auditor's and additional list | \$9,109 48 | |
| By payments, delinquents, commissions, &c. | 8,782 17 | 327 31 |
| <i>Sheriff Owen County:</i> | | |
| To Commissioners' books and Auditor's list | \$8,309 99 | |
| By payments, delinquents, commissions, &c. | 8,309 99 | |
| <i>Sheriff Owsley County:</i> | | |
| To Commissioners' books and Auditor's list | \$1,795 17 | |
| By payments, delinquents, commissions, &c. | 1,795 17 | |
| <i>Sheriff Pulaski County:</i> | | |
| To Commissioner's books and Auditor's lists | \$7,411 30 | |
| By commissions | 332 33 | 7,078 97 |
| <i>Sheriff Powell County:</i> | | |
| To Commissioners' books and Auditor's list | \$799 12 | |
| By payments, commissions, and delinquents | 162 69 | 636 43 |
| <i>Sheriff Pike County:</i> | | |
| To Commissioners' books, Clerks' lists, &c. | \$2,207 07 | |
| By payments and commissions | 1,978 28 | 228 79 |
| <i>Sheriff Perry County:</i> | | |
| To Commissioners' books and Auditor's list | \$850 81 | |
| By commissions | 68 08 | 782 73 |
| <i>Sheriff Pendleton County:</i> | | |
| Commissioners' books and Auditor's list | \$5,814 02 | |
| By payments, commissions, &c. | 3,485 16 | 2,328 86 |
| <i>Sheriff Rockcastle County:</i> | | |
| To Commissioners' books and Auditor's list | \$2,095 82 | |
| By commissions | 144 80 | 1,951 02 |
| <i>Sheriff Rowan County:</i> | | |
| To Commissioners' books and Auditor's list | \$917 86 | |
| By commissions, delinquents, &c. | 116 17 | 801 69 |
| <i>Sheriff Russell County:</i> | | |
| To Commissioners' books, Auditor's and Clerks' lists | \$3,333 09 | |
| By settlement | 3,333 09 | |
| <i>Sheriff Scott County:</i> | | |
| To Commissioners' books and Auditor's list | \$20,523 32 | |
| By payments, delinquents, commissions, &c. | 14,768 62 | \$5,754 70 |
| No. 6. { Total debits | \$101,049 35 | |
| { Total credits | 70,234 03 | |
| { Total balance due | \$30,815 32 | |

JAN. 30.

JAN. 30.]

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DEBITS & CREDITS. BALANCE DUE.

LANCE DUE

7,588 93

Sheriff Shelby County:

| | |
|--|-------------|
| To Commissioners' books, Auditor's list, &c. | \$27,333 17 |
| By payments, delinquents, commissions, &c. | 24,152 24 |
| | <hr/> |
| | 3,180 93 |

327 31

Sheriff Simpson County:

| | |
|--|------------|
| To Commissioners' books and Auditor's list | \$7,548 84 |
| By payments and commissions | 3,262 46 |
| | <hr/> |
| | 4,286 38 |

Sheriff Spencer County:

| | |
|--|------------|
| To Commissioners' books, Auditor's list, &c. | \$9,162 16 |
| By payments, commissions, &c. | 7,092 18 |
| | <hr/> |
| | 2,069 98 |

Sheriff Taylor County:

| | |
|--|------------|
| To Commissioners' books and Auditor's list | \$4,725 17 |
| By settlement | 4,725 17 |
| | <hr/> |

Sheriff Todd County:

| | |
|---|-------------|
| To Commissioners' books and Auditor's lists | \$11,114 49 |
| By payments, commissions, &c. | 7,751 84 |
| | <hr/> |
| | 3,362 65 |

7,078 97

Sheriff Trigg County:

| | |
|--|-------------|
| To Commissioners' books, Auditor's and Clerks' lists | \$10,749 17 |
| By payments, delinquents, commissions, &c. | 9,366 19 |
| | <hr/> |
| | 1,382 98 |

636 43

Sheriff Trimble County:

| | |
|---|------------|
| To Commissioners' books and Auditor's lists | \$1,118 33 |
| By payments, delinquents, commissions, &c. | 4,118 33 |
| | <hr/> |

228 79

Sheriff Union County:

| | |
|--|-------------|
| To Commissioners' books and Auditor's list | \$13,467 78 |
| By payments, commissions, &c. | 3,671 27 |
| | <hr/> |

782 73

Sheriff Woodford County:

| | |
|--|-------------|
| To Commissioners' books, Auditor's list, &c. | \$21,274 87 |
| By settlement | 21,274 87 |
| | <hr/> |

2,328 66

Sheriff Warren County:

| | |
|--|-------------|
| To Commissioners' books and Auditor's list | \$19,210 27 |
| By payments, commissions, &c. | 13,129 71 |
| | <hr/> |

1,951 02

Sheriff Wayne County:

| | |
|--|------------|
| To Commissioners' books and Auditor's list | \$5,966 51 |
| By payments, commissions, &c. | 3,138 34 |
| | <hr/> |
| | 2,828 17 |

801 69

Sheriff Washington County:

| | |
|--|-------------|
| To Commissioners' books, Auditor's list, &c. | \$10,425 78 |
| By payments, commissions, &c. | 5,610 45 |
| | <hr/> |

| | |
|--|----------|
| | 4,815 33 |
|--|----------|

Sheriff Whitley County:

| | |
|--|------------|
| To Commissioners' books, Auditor's list, &c. | \$1,876 06 |
| By payments, commissions, &c. | 1,146 00 |
| | <hr/> |

730 06

| | |
|-------------------|--------------|
| Total debits | \$146,972 60 |
| Total credits | 108,439 05 |
| | <hr/> |
| Total balance due | \$38,533 55 |

\$5,754 70

101,049 35

70,234 03

\$30,815 32

RECAPITULATION.

| | DEBITS. | CREDITS. | BALANCE DUE. |
|-------|----------------|--------------|--------------|
| No. 1 | \$134,777 06 | \$117,200 16 | \$17,576 90 |
| No. 2 | 163,842 37 | 121,326 58 | 42,515 79 |
| No. 3 | 125,202 28 | 83,757 96 | 41,444 92 |
| No. 4 | 253,917 93 | 175,586 59 | 78,331 34 |
| No. 5 | 148,797 98 | 127,064 83 | 21,733 15 |
| No. 6 | 101,049 35 | 70,234 03 | 30,815 32 |
| No. 7 | 146,972 60 | 108,439 05 | 38,533 55 |
| Total | \$1,074,559 57 | \$803,609 20 | \$270,950 37 |

There is no data upon which we can base the receipts and expenditures for the year ending 10th October, 1862. But if we take for a basis the supposed receipts and expenditures of 1861, and admit that there will be a falling off in the value of the taxable property, the deficit will, in my opinion, be in proportion to the ratio of that falling off—provided there are no extraordinary appropriations either by the present or the Legislature to convene in December, 1861. I refer the Senate to my Condensed Report for 1861, already laid before that body for a statement of the condition of the revenue of the State up to the 15th January, 1861; also the supposed receipts and expenditures for the year 1861.

Respectfully,
GRANT GREEN, Auditor.

Ordered, That the Public Printer forthwith print 150 copies of the same for the use of the members of the General Assembly.

1. Mr. Boles presented the petition of sundry citizens of Russell county, praying the passage of a law permitting the banks to issue notes redeemable in two years.

2. Mr. Grundy presented the petition of sundry citizens of the county of Washington, praying that the proposition of extending the limits of Springfield be submitted to a vote of those to be affected thereby.

3. Mr. Cissell presented the remonstrance of sundry citizens of Union county against a proposed change in a State road in said county.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Finance; the 2d to the Committee on the Judiciary, and the 3d to the Committee on Internal Improvement.

Mr. DeHaven, under a suspension of the rules of the Senate, moved that the various reports, substitutes, amendments, and propositions made on yesterday by the Committee on Federal Relations, and by

different Senators, be made the special order for to-morrow morning at 10½ o'clock A. M.

Mr. Whitaker offered the following amendment.

Refer the subject to a select committee, composed of Messrs. Fisk, Read, Bruner, Marshall, Simpson, Taylor, and Rousseau.

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Marshall and Anthony, were as follows, viz :

Those who voted in the affirmative, were—

| | | |
|--|---|---|
| Mr. Speaker, (Porter,) T. T. Alexander, Landaff W. Andrews, James R. Barrick, John B. Bruner, A. D. Cosby, George Denny, John F. Fisk, | William C. Gillis, Samuel Haycraft, Samuel H. Jenkins, John M. Johnson, Thornton F. Marshall, Chas. D. Pennebaker, William B. Read, Albert G. Rhea, | L. H. Rousseau, James Simpson, Harrison Taylor, Cyrenius Wait, E. Dudley Walker, C. J. Walton, W. C. Whitaker—23. |
|--|---|---|

Those who voted in the negative, were—

| | | |
|---|---|--|
| William T. Anthony, Samuel H. Boles, Charles Chambers, Benjamin P. Cissell, William S. Darnaby, | Alex. L. Davidson, Samuel E. DeHaven, J. E. Gibson, Robert E. Glenn, Asa P. Grover, | Thomas S. Grundy, John L. Irvin, William H. McBrayer, John A. Prall, Henry M. Rust—15. |
|---|---|--|

And so said amendment was adopted.

Said motion, as amended, was then adopted.

A message was received from the House of Representatives, announcing that they had passed a resolution providing compensation to the commissioners to Washington city.

And that they had passed bills of the following titles, viz :

An act to incorporate Lodge No. 81, I. O. O. F., of Louisville.

An act empowering the Owen county court to change a State road.

An act to discontinue a portion of the road in Kenton county.

An act to change the time of holding quarterly courts in Lyon county.

An act for the benefit of Richard M. Moore.

Bills of the following titles were reported, viz :

By Mr. Grover, from the Committee on the Revised Statutes—

1. A bill to amend the charter of the Masonic Temple Company.
2. A bill to charter Grove No. 3, of the Ancient Order of Druids, of Louisville.

3. A bill to incorporate the town of Gratz, in Owen county.
By Mr. Rust, from a select committee—
4. A bill in relation to the penitentiary.
By Mr. Alexander, from a select committee—
5. A bill for the benefit of the attorney of Danville.
By Mr. Whitaker, from a select committee—
6. A bill for the benefit of the Westport turnpike road company.
Which were read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bills having been dispensed with,

Ordered, That the 4th be referred to the Committee on the Penitentiary, and that the 1st, 2d, 3d, 5th, and 6th be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The Senate then, according to special order, took up for consideration a bill of the following title, viz :

A bill for the benefit of the sheriff of Washington county.

Ordered, That the Committee on Finance report said bill to the Senate on Friday, the 1st of February, at 11 o'clock A. M.

Mr. Bruner offered the following resolution, viz :

Resolved, That the Auditor be, and he is hereby, requested to report to the Senate, at his earliest convenience, what rate of increase of taxation per annum on the \$100 worth of taxable property in Kentucky, will be required to raise the annual sum of \$3,661,469 70, and also the sum of \$5,000,000, and what proportion each county will be required to pay. Also, if he has any data upon which to form a proximate estimate, and to report to the Senate what will be the probable depreciation in the value of taxable property in the Commonwealth since 1st January, 1860, from the agitation of the question of secession.

Said resolution, under the rules of the Senate, lies one day on the table.

Leave to bring in bills for the following purposes was granted :

On motion of Mr. Johnson—1. A bill for the benefit of Mrs. T. Noe.

On motion of same—2. A bill establishing the Mechanics' Savings Bank of Paducah.

On motion of Mr. Cosby—3. A bill to amend the charter of the Owensboro Deposit Bank.

On motion of Mr. Simpson—4. A bill for the benefit of the trustees of Winchester.

On motion of Mr. Grover—5. A bill authorizing the sale of the Falmouth bridge, in Pendleton county.

On motion of Mr. Pennebaker—6. A bill defining the southern limits of Louisville.

On motion of Mr. DeHaven—7. A bill amending the charter of the Masonic Publishing Association.

On motion of Mr. Rousseau—8. A bill concerning the Jefferson circuit courts.

On motion of Mr. Barrick—9. A bill to amend the charter of Edmonton.

On motion of Mr. Pennebaker—10. A bill concerning the common school law.

On motion of Mr. Fisk—11. A bill to amend the charter of the Lexington and Southern Kentucky railroad company.

On motion of same—12. A bill to incorporate the Workingmen's Benevolent Association, of Covington.

On motion of Mr. Taylor—13. A bill amending the charter of the Maysville Fire, Life, and Marine Insurance Company.

Ordered, That the Committee on the Judiciary prepare and bring in the 1st, 6th, 7th, 9th, 10th, and 12th; the Committee on Banks the 2d and 3d; the Committee on Internal Improvement the 4th, 5th, and 11th; Messrs. Rousseau, Pennebaker, and Cissell the 8th, and the Committee on the Revised Statutes the 13th.

Mr. Haycraft offered the following resolution, viz:

Resolved, That the Committee on the Penitentiary be requested to inquire into the propriety of appointing a matron to take charge of the female convicts in the penitentiary, and report by bill or otherwise.

Which was adopted.

Under a suspension of the rules, Mr. Rousseau, from a select committee, reported a bill of the following title, viz:

A bill concerning the Jefferson circuit court.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bill having been dispensed with,

On motion of Mr. Glenn,

Ordered, That said bill be referred to the Committee on Circuit Courts, with the request that they inquire into the expediency of reporting a general law.

Mr. Grover, from the Committee on Finance, to whom had been referred a bill of the House of Representatives, of the following title, viz:

An act for the benefit of Martin Looker & Co.,

Reported the same with an expression of opinion that it ought not to pass.

And the question being taken upon rejecting said bill, it was decided in the affirmative.

And so said bill was rejected.

Mr. Gillis, from the Committee on Enrollments, reported that they had examined sundry enrolled bills originating in the House of Representatives, of the following titles, and that the same were correctly enrolled.

An act for the benefit of the common schools of Shelby and Knox counties.

An act to incorporate Bell City, in the county of Crittenden.

An act to amend the charter of the Deposit Bank of Cynthiana.

An act to authorize persons to make tunnels in the county of Whitley.

Whereupon the Speaker affixed his signature thereto, and they were returned to the committee to be presented to the Governor for his signature.

The Senate then, according to order, took up for consideration a bill entitled,

A bill to amend the charters of the several banks of issue in the State of Kentucky.

Said bill reads as follows:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That it shall and may be lawful for the banks of issue in the State of Kentucky, on the _____ day _____, 1861, to re-issue, in bank notes of denominations not less than one nor more than fifty dollars, the sum of four millions of dollars, redeemable in gold or silver at the expiration of two years from and after the date of such re-issue; the amount aforesaid to be issued by the following named banks, in proportion to the capital stock actually taken and paid in, to-wit: the Commercial Bank, the Southern Bank, the People's Bank, the Bank of

Louisville, the Bank of Kentucky, the Farmers' Bank, the Northern Bank, and the Bank of Ashland.

§ 2. That the re-issue aforesaid shall be duly made known, and designated by writing or stamping on the face of each bank note, "Re-issued this, the — day of —, 1861," and countersigned by the cashier of such bank.

§ 3. That it shall be the duty of the aforesaid banks, within three months after the — day of —, 1861, to loan to the citizens of each of the ten Congressional districts, upon new accommodations, in sums of not more than one thousand dollars to each individual applicant, to be re-paid in calls of not more than ten per cent. upon the original amount loaned for the two first one hundred and twenty days the said loan shall run, and not more than twenty per cent. for each one hundred and twenty days it may afterwards run, an amount not less than four hundred thousand dollars to each of the Congressional districts in the State of Kentucky: *Provided*, That if there should not be suitable and satisfactory applications for the amount to which any district may be entitled before the first day of July next, then the said banks may lend in larger sums than one thousand dollars: *And provided further*, That if said banks fail to make the loans herein provided for, within the time stated, for the want of proper and satisfactory applications therefor, then the said banks shall have the benefit of the provisions of this act, in case they shall make the loans aforesaid to the amount named in the year 1861.

§ 3. It shall be the duty of the Commercial Bank and the Bank of Ashland to make the said loans in districts one and nine; and it shall be the duty of the Southern Bank and the People's Bank to make said loans in districts two and three; it shall be the duty of the Bank of Kentucky and Bank of Louisville to make said loans in districts four, five, and seven; it shall be the duty of the Farmers' Bank and Northern Bank to make said loans in districts six, eight, and ten.

§ 4. It shall be the duty of said banks, in making the loans herein provided for, to divide the sum going to each district among the several counties composing such district, in proportion to the number of voters in each county respectively, as near as may be: *Provided*, That if there be not good and satisfactory applications from any county for the full amount to which such county is entitled within ninety days from the 1st March, 1861, then said banks may lend the remainder of the share of such county to citizens of other counties in the same district.

§ 5. That it shall be the duty of the president and directors of the banks aforesaid to make known to the Governor of this Commonwealth, within — days from the date of this act, whether or not they accept the provisions thereof, and undertake to make the loans as herein required; and in the event that one half of said banks agree to and do accept the provisions of this act, and will undertake to make the loans aforesaid to all of the districts in the State, this act shall be binding and obligatory as to such banks thus accepting the provisions of this act, to the same extent and manner as if accepted by all.

§ 6. *Be it further enacted*, That the re-issue provided for in this act,

when make conformable thereto, shall be taken and received in payment and discharge of all dues and demands to and from the State of Kentucky.

The pending question being the consideration of the substitute offered by Mr. Bruner, which is as follows, viz:

Amend by adding to the 6th section "to the banks loaning the money."

And the question being taken on the adoption of said substitute, it was decided in the negative.

The yeas and nays being demanded thereon by Messrs. Denny and Rust, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|-------------------|----------------------|-------------------|
| James R. Barrick, | George Denny, | L. H. Rousseau, |
| John B. Bruner, | John M. Johnson, | James Simpson, |
| Charles Chambers, | Chas. D. Pennebaker. | W. C. Whitaker—9. |

Those who voted in the negative, were—

| | |
|--------------------------------------|--|
| Mr. Speaker, (Porter,) J. E. Gibson, | William H. McBrayer, |
| T. T. Alexander, | John A. Prall, |
| William T. Anthony, | William B. Read, |
| Landaff W. Andrews, | Albert G. Rhea, |
| Samuel H. Boles, | Henry M. Rust, |
| A. D. Cosby, | Samuel Haycraft, |
| Alex. L. Davidson, | Harrison Taylor, |
| Samuel E. DeHaven, | Cyrenius Wait, |
| John F. Fisk, | E. Dudley Walker, |
| | Thornton F. Marshall, C. J. Walton—27. |

The amendment proposed by Mr. Fisk to the amendment offered by Mr. Glenn, was then adopted.

Mr. Pennebaker proposed the following amendment, viz:

Strike out in the 8th line, 6th section, all after the words "to the same extent," and add "of their pro rata share of the amount of the authorized re-issue, to be proportioned equally among the ten Congressional districts in this State."

Which was adopted.

Messrs. Grover and Denny moved the previous question.

And the question being taken, Shall the main question be now put? it was decided in the affirmative.

Ordered, That said bill be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with, and the same having been engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Grover and Andrews, were as follows, viz:

Those who voted in the affirmative, were—

| | |
|---|--------------------|
| Mr. Speaker, (Porter,) William C. Gillis, | John A. Prall, |
| T. T. Alexander, Robert E. Glenn, | William B. Read, |
| William T. Anthony, Asa P. Grover, | Albert G. Rhea, |
| James R. Barrick, Thomas S. Grundy, | L. H. Rousseau, |
| Samuel H. Boles, Samuel H. Jenkins, | Henry M. Rust, |
| John B. Bruner, John M. Johnson, | E. Dudley Walker, |
| A. D. Cosby, William H. McBrayer, | C. J. Walton, |
| John F. Fisk, C. D. Pennebaker, | W. C. Whitkaer—25. |
| J. E. Gibson, | |

Those who voted in the negative, were—

| | |
|--|-----------------------|
| Landaff W. Andrews, Samuel E. DeHaven, | Thornton F. Marshall, |
| Charles Chambers, George Denny, | James Simpson, |
| Benjamin P. Cissell, Samuel Haycraft, | Harrison Taylor, |
| Alex. L. Davidson, John L. Irvan, | Cyrenius Wait—12. |

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Under a suspension of the rules, Mr. Andrews obtained leave to bring in a bill for the following purpose:

A bill to incorporate the Old School Presbyterian Church, of Green-upsburg.

Ordered, That Messrs. Rust, Andrews, and McBrayer prepare and bring in said bill.

The Senate then took up for consideration a bill from the House of Representatives, of the following title, viz:

An act for the benefit of Ben. F. McClendon.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bill having been dispensed with,

Ordered, That said bill be referred to the Committee on the Judiciary.

Also, a resolution providing compensation for the commissioners to Washington city.

Said resolution was twice read, and concurred in.

The yeas and nays being required thereon by the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

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|--------------------------------------|------------------|
| Mr. Speaker, (Porter,) John F. Fisk, | John A. Prall, |
| T. T. Alexander, J. E. Gibson, | William B. Read, |

| | | |
|----------------------|-----------------------|----------------------|
| William T. Anthony, | William C. Gillis, | Albert G. Rhea, |
| Landaff W. Andrews, | Robert E. Glenn, | L. H. Rousseau, |
| James R. Barrick, | Asa P. Grover, | Henry M. Rust, |
| Samuel H. Boles, | Thomas S. Grundy, | James Simpson, |
| John B. Bruner, | Samuel Haycraft, | Harrison Taylor, |
| Charles Chambers, | John L. Irvan, | Cyrenius Wait, |
| Benjamin P. Cissell, | John M. Johnson, | E. Dudley Walker, |
| Alex. L. Davidson, | Thornton F. Marshall, | Claiborne J. Walton, |
| Samuel E. DeHaven, | William H. McBrayer, | W. C. Whitaker—35. |
| George Denny, | Chas. D. Pennebaker, | |

Those who voted in the negative, were—

A. D. Cosby, Samuel H. Jenkins—2.

And then the Senate adjourned.

THURSDAY, JANUARY 31, 1861.

Messrs. Grover and Denny moved to reconsider the vote by which the Senate rejected a bill of the House of Representatives, of the following title, viz:

An act for the benefit of Martin Looker & Co.

And the further consideration of said motion was for the present postponed.

1. Mr. Grundy presented the remonstrance of sundry citizens of Marion county against the proposed extension of the town of Lebanon.

2. Mr. Andrews presented the memorial of Miss Dix upon the system upon which the administration of the State penitentiary is based.

3. Mr. Pennebaker presented the petition of sundry billiard table keepers of Louisville, praying that the taxes on billiards be reduced.

4. Mr. Pennebaker presented the proceedings of the city council of Louisville, and the petition of sundry citizens, remonstrating against a proposed amendment to the school law of said city.

Which were received, the reading dispensed with, and the 1st referred to the Committee on the Judiciary; the 3d to the Committee on Finance; and the 4th to the Committee on the Revised Statutes.

Ordered, That the Public Printer forthwith print 150 copies of the 2d for the use of the members of the General Assembly.

Mr. Cissell, from the Committee on the Judiciary, asked to be discharged from the further consideration of a leave to bring in a bill to amend the execution laws.

And before any action was taken upon granting said discharge, the hour arrived when, by the special order of the Senate, the Select Committee on Federal Relations made their report, which is as follows, viz :

The select committee to whom was referred the various reports and resolutions submitted to the Senate by the Committee on Federal Relations, have had the same under consideration, and would respectfully report the following resolutions, which were unanimously agreed to by the committee.

Resolved, by the General Assembly of the Commonwealth of Kentucky, That the people of Kentucky view with the most lively apprehension the dangers that now environ the Union and threaten its perpetuity.

Resolved, That we appeal to our southern brethren to stay the work of revolution, to return and make one mighty effort to perpetuate the noble work of our forefathers, hallowed by the recollections of a thousand noble deeds.

Resolved, That we protest against the use of force or coercion by the General Government against the seceding States; as unwise and inexpedient, and tending to the destruction of our common country.

Resolved, That as this General Assembly has made an application to Congress to call a national convention to amend the Constitution of the United States, and requested the Legislatures of all the other States to make similar applications, and has appointed commissioners to meet those which have been appointed by the State of Virginia, and such as may be appointed by other States, at a designated time and place, to consider, and if practicable, agree upon some suitable adjustment of the present unhappy controversies, it is unnecessary and inexpedient for this Legislature to take any further action on this subject at the present time. And as evidence of the sincerity and good faith of our propositions for an adjustment, and an expression of devotion to the Union, and desire for its preservation, Kentucky awaits with deep solicitude the response from her sister States.

Resolved, That this General Assembly, when it adjourn on the 4th day of February next, at 12 o'clock, M., will adjourn to meet again at this place on the 4th Wednesday in April next, to take into consideration the responses of our sister States, and the then condition of the nation, and to adopt such measures as may be proper and the interests of Kentucky may require.

JOHN F. FISK,
WM. B. READ,
JOHN B. BRUNER,
JAMES SIMPSON,
THORNTON F. MARSHALL,
HARRISON TAYLOR,
L. H. ROUSSEAU,

Ordered, That the Public Printer forwith print 150 copies of the same for the use of the members of the General Assembly, and that the further consideration of said report be postponed until to-morrow at ten and a half o'clock.

By special leave, Mr. DeHaven, from the Committee on Finance, read and laid upon the table the following joint resolution:

Resolved by the General Assembly of the Commonwealth of Kentucky, That three commissioners of competent skill be appointed by the Governor of this Commonwealth to visit a proposed site at or near the town of Bowling-Green; also at Buena Vista Springs, in Logan county, and the present site of the Asylum at Hopkinsville, upon which the Western Lunatic Asylum may be erected, and that they report to this Legislature as early as possible the relative advantages and disadvantages of each of those sites embracing them; the prospects for health, convenience of access, of water, fuel, and necessary provisions for such an establishment.

Mr. Walton offered the following amendment:

"Also Cave City."

Mr. Gibson offered the following amendment to the amendment proposed by Mr. Walton:

Amend by adding, "also the White Sulphur Springs, in Estill county."

Messrs. Gillis and Boles moved the previous question.

And the question being taken, Shall the main question be now put? it was decided in the affirmative.

The question was then taken on the amendment offered by Mr. Gibson to the amendment proposed by Mr. Walton, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Walton and Barrick, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|--|--|---|
| Mr. Speaker, (Porter,) T. T. Alexander, Landaff W. Andrews, Samuel H. Boles, Alex. L. Davidson, Samuel E. DeHaven, John F. Fisk, J. E. Gibson, | William C. Gillis, Robert E. Glenn, Asa P. Grover, Thomas S. Grundy, John L. Irvan, Samuel H. Jenkins, William H. McBrayer, John A. Prall, | William B. Read, L. H. Rousseau, Henry M. Rust, James Simpson, Harrison Taylor, Cyrenius Wait, E. Dudley Walker—23. |
|--|--|---|

Those who voted in the negative, were—

| | | |
|--|--|---|
| William T. Anthony, James R. Barrick, John B. Bruner, Benjamin P. Cissell, | A. D. Cosby, George Denny, Samuel Haycraft, John M. Johnson, | Chas. D. Pennebaker, Albert G. Rhea, C. J. Walton, W. C. Whitaker—12. |
|--|--|---|

The question was then taken on the adoption of the amendment of Mr. Walton, as amended, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Rust and Walton, were as follows, viz :

Those who voted in the affirmative, were—

| | | |
|------------------------|----------------------|-------------------|
| Mr. Speaker, (Porter.) | J. E. Gibson, | John A. Prall, |
| T. T. Alexander, | William C. Gillis, | William B. Read, |
| Landaff W. Andrews, | Robert E. Glenn, | Henry M. Rust, |
| James R. Barrick, | Asa P. Grover, | James Simpson, |
| Samuel H. Boles, | Thomas S. Grundy. | Harrison Taylor, |
| A. D. Cosby, | John L. Irvan, | Cyrenius Wait, |
| Alex. L. Davidson, | Samuel H. Jenkins, | E. Dudley Walker, |
| Samuel E. DeHaven, | William H. McBrayer, | C. J. Walton—25. |
| John F. Fisk, | | |

Those who voted in the negative, were—

| | | |
|----------------------|------------------|----------------------|
| William T. Anthony, | George Denny, | Chas. D. Pennebaker, |
| John B. Bruner, | Samuel Haycraft, | Albert G. Rhea, |
| Benjamin P. Cissell, | John M. Johnson, | W. C. Whitaker—9. |

The question was then taken on the passage of the resolution offered by Mr. DeHaven, as amended, and it was decided in the negative.

The yeas and nays being demanded thereon by Messrs. Andrews and Boles, were as follows, viz :

Those who voted in the affirmative, were—

| | | |
|----------------|-----------------|-----------------|
| John F. Fisk, | John A. Prall, | L. H. Rousseau, |
| Asa P. Grover, | Albert G. Rhea, | C. J. Walton—6. |

Those who voted in the negative, were—

| | | |
|------------------------|--------------------|-----------------------|
| Mr. Speaker, (Porter.) | Samuel E. DeHaven, | Thornton F. Marshall, |
| T. T. Alexander, | George Denny, | William H. McBrayer, |
| William T. Anthony, | J. E. Gibson, | Chas. D. Pennebaker, |
| Landaff W. Andrews, | William C. Gillis, | William B. Read, |
| James R. Barrick, | Robert E. Glenn, | Henry M. Rust, |
| Samuel H. Boles, | Thomas S. Grundy, | James Simpson, |
| John B. Bruner, | Samuel Haycraft, | Harrison Taylor, |
| Benjamin P. Cissell, | John L. Irvan, | Cyrenius Wait, |
| A. D. Cosby, | Samuel H. Jenkins, | E. Dudley Walker, |
| Alex. L. Davidson, | John M. Johnson, | W. C. Whitaker—30. |

A message was received from the House of Representatives, announcing that they had passed bills originating in the Senate, of the following titles, viz :

An act to amend the charter of the Covington and Cincinnati Bridge Company.

An act to establish an additional voting place in the 3d magistrates' district, in Ballard county.

And that they had passed bills of the following titles, viz:

An act making the certificate of the Auditor of Public Accounts evidence in certain cases.

An act for the benefit of A. A. Nelson.

An act to allow non-resident aliens who are heirs and devisees to hold and convey real estate.

An act to legalize acknowledgments of deeds taken before the mayor of Newport.

An act to repeal an act incorporating the Lewisport Pond Draining Company.

An act for the benefit of H. W. McNary.

An act conferring certain powers on the Union county court.

An act to change the boundary of Hall's precinct, in Breathitt county.

An act for the benefit of Mrs. Mary Haviland.

An act for the benefit of Wm. Magowan and J. V. Dewey.

An act for the benefit of W. T. Moren.

An act for the benefit of Wm. F. Quinn.

An act for the benefit of the town of Midway.

An act allowing George Noel, of Gallatin county, to peddle without license.

An act changing the boundary of the town of Woodsonville.

An act to repeal an act concerning judicial sales in Jefferson county.

An act for the benefit of George W. Darlington, late sheriff of Greenup county.

An act for the benefit of school district No. 54, in Allen county.

An act for the benefit of George W. and Sarah E. Castleman.

A message was received from the Governor, by the hands of Hon. Thomas B. Monroe, jr., Secretary of State, informing the Senate that he had signed acts originating in this House, of the following titles:

An act to incorporate the Louisville Benevolent Association.

An act to incorporate the Frake's and Hildreth turnpike road company.

An act to amend an act incorporating the Hardinsburg and Cloverport turnpike road company, approved 23d February, 1860.

An act relating to the voting places in Radford's precinct, in Caloway county.

An act further to amend the law in relation to the Whitley road.

An act to amend the charter of the Stamping-Ground and Lecompt's Run turnpike.

An act to incorporate the Odd Fellows' Hall Association, of the city of Louisville.

Under a suspension of the rules, bills of the following titles were reported, viz:

By Mr. Whitaker, from the Committee on Circuit Courts—

A bill for the benefit of the estate of R. C. Rice, deceased.

By Mr. Rousseau, from the Committee on the Judiciary—

A bill for the benefit of the Louisville turnpike company, and the Louisville and Taylorsville turnpike road company.

By Mr. Whitaker, from the Committee on Circuit Courts—

A bill regulating the special chancery courts in Washington and Marion counties.

A bill for the benefit of the legal representatives of John R. Baker.

By Mr. Rust, from the Committee on County Courts—

A bill to incorporate the town of Maxville.

A bill to authorize the transcript of certain records in the Rockcastle county court.

By Mr. Taylor, from the Committee on Internal Improvement—

A bill to amend the charter of the Elizaville and Pleasant Valley turnpike road company.

A bill to authorize the sale of the Falmouth bridge, in Pendleton county.

By Mr. Simpson, from the same committee—

A bill authorizing the trustees of Winchester to close an alley.

Which were read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bills having been dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of said bills having been dispensed with, and the same having been engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

By Mr. Cissell, from the Committee on the Judiciary—

An act repealing an act in relation to the town of Greenupsburg.

Ordered, That said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

By same—

An act for the benefit of Benjamin F. McClendon, constable of Webster county,

With an expression of opinion that said bill ought not to pass.

And the question being taken on rejecting said bill, it was decided in the affirmative.

And so said bill was rejected.

Mr. Taylor, from the Committee on Internal Improvement, reported a bill from the House of Representatives, of the following title, with an amendment, viz:

An act for the benefit of the Lexington and Newtown turnpike road company.

Said amendment was adopted.

Ordered, That said bill, as amended, be read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Fisk, from the Committee on the Revised Statutes, reported a bill of the following title, viz :

A bill to amend the registration laws.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bill having been dispensed with,

Mr. Alexander moved that said bill be placed in the orders of the day.

And the question being taken on said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Pennebaker and Rousseau, were as follows, viz :

Those who voted in the affirmative, were—

| | |
|--|--------------------------------------|
| Mr. Speaker, (Porter,) George Denny, T. T. Alexander, | John M. Johnson, Wm. H. McBrayer, |
| William T. Anthony, | Henry M. Rust, |
| William C. Gillis, | |

JAN. 31.]

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Samuel H. Boles, Robert E. Glenn, Harrison Taylor,
 A. D. Cosby, John L. Irvin, E. Dudley Walker—17.
 Samuel E. DeHaven, Samuel H. Jenkins,

Those who voted in the negative, were—

| | | |
|---------------------|-----------------------|--------------------|
| Landaff W. Andrews, | Thomas S. Grundy, | L. H. Rousseau, |
| James R. Barrick, | Samuel Haycraft, | James Simpson, |
| John B. Bruner, | Thornton F. Marshall, | Cyrenius Wait, |
| Alex. L. Davidson, | Chas. D. Pennebaker, | C. J. Walton, |
| John F. Fisk, | William B. Read, | W. C. Whitaker—17. |
| Asa P. Grover, | Albert G. Rhea, | |

Ordered, That said bill be referred to the Committee on Finance.

Mr. Cissell, from the Committee on the Judiciary, asked to be discharged from the further consideration of a leave to bring in a bill for the benefit of tax payers in precincts Nos. 1, 5, and 9, in Nelson county.

And the question being taken on discharging the committee, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Read and Cissell, were as follows, viz :

Those who voted in the affirmative, were—

| | | |
|--|----------------------------------|--|
| Mr. Speaker, (Porter,) William T. Anthony, | Alex. L. Davidson, George Denny, | John M. Johnson, Thornton F. Marshall, |
| Landaff W. Andrews, | John F. Fisk, | Albert G. Rhea, |
| Samuel H. Boles, | Robert E. Glenn, | James Simpson, |
| John B. Bruner, | Asa P. Grover, | Harrison Taylor—17. |
| Benjamin P. Cissell, | John L. Irvin, | |

Those who voted in the negative, were—

| | | |
|---------------------------------|--------------------------------------|---------------------------------|
| James R. Barrick, J. E. Gibson, | Thomas S. Grundy, Samuel H. Jenkins, | John A. Prall, William B. Read, |
| William C. Gillis, | Chas. D. Pennebaker, | E. Dudley Walker—9. |

And so said committee was discharged.

Mr. Cissell, from the same committee, asked to be discharged from the further consideration of the petition of Henry Nichols, of Nelson county, asking the passage of a bill for the benefit of Dick Gore, a free negro.

Which was granted.

Mr. Barrick, from the Committee on Education, to whom was referred a bill of the House of Representatives, of the following title :

An act for the benefit of school district No. 13, in Livingston county,

Reported the same back without amendment.

Said bill having been read a third time,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Fisk, from the Committee on the Revised Statutes, reported a bill of the following title, viz :

A bill to amend an act requiring trustees, &c., in certain cases, to execute bond.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bill having been dispensed with,

Ordered, That said bill be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with, and the same having been engrossed,

The hour of adjournment having arrived, the Senate adjourned.

FRIDAY, FEBRUARY 1, 1861.

1. Mr. Jenkins presented the petition of sundry citizens of Ballard, Graves, and McCracken counties, praying the passage of a law for the purpose of preventing the collection of debts for the space of twelve months.

2. Mr. Alexander presented the petition of John W. Beauchamp, in the nature of a remonstrance, against the enlargement of the limits of the town of Edmonton, in Metcalfe county.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Finance, and the 2d to the Committee on the Judiciary.

A message was received from the House of Representatives, announcing that they had passed bills originating in the Senate, of the following titles, viz :

An act to amend the charter of the Masonic Temple Company,
With an amendment.

An act to incorporate the Lodge of Free and Accepted Masons, of Muhlenburg county.

An act to amend the charter of Elizabethtown.

And that they had passed bills of the following titles, viz:

An act to incorporate the Old School Presbyterian Church, in Glasgow.

An act to incorporate the Campbellburg Mutual Insurance Company.

An act to amend an act incorporating the Munday's Landing and Harrodsburg turnpike road company.

An act authorizing a change of voting place in district No. 3, in Clarke county.

An act to authorize the Board of Trustees of Warsaw to appoint a Marshal.

An act to incorporate Moreland Lodge, No. 124, I. O. O. F.

An act for the benefit of Elijah L. Wisdom and Green Atwell.

An act to amend the charter of the Stanford and Hustonville turnpike road company.

An act for the benefit of Barboursville, Williamsburg, London, and Mount Vernon.

An act for the benefit of the county of Fulton.

An act authorizing the Henderson county court to levy a tax to build a jail.

An act to incorporate the Eddyville Union School.

An act for the benefit of school district No. 65, in Muhlenburg county.

An act to establish and incorporate the town of Hardyville.

An act to incorporate the Book and Tract Society of the Methodist Episcopal Church, South.

An act to amend the charter of Versailles.

An act declaring Licking river a navigable stream from Licking Station to the Trace Branch.

An act authorizing the trustees of Baptist Church in Shelbyville to sell certain real estate.

An act amending an act incorporating the city of Columbus.

An act for the benefit of the town of Liberty.

On motion of Mr. Chambers, a bill of the House of Representatives, of the following title, viz:

An act to revive and amend the act to incorporate the town of Florence, in Boone county,

Was taken up,

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and third readings of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate then, according to order, resumed the consideration of the request made by the Committee on the Judiciary on yesterday, asking to be discharged from the further consideration of a leave to bring in a bill to amend the execution laws.

And the question being taken on discharging said committee, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Walker and Jenkins, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|--------------------------------------|-----------------------|--------------------|
| Mr. Speaker, (Porter,) George Denny, | Chas. D. Pennebaker, | |
| T. T. Alexander, | John F. Fisk, | John A. Prall, |
| Landaff W. Andrews, | J. E. Gibson, | L. H. Rousseau, |
| Samuel H. Boles, | William C. Gillis, | James Simpson, |
| John B. Bruner, | Asa P. Grover, | Harrison Taylor, |
| Charles Chambers, | John L. Irvan, | Cyrenius Wait, |
| Benjamin P. Cissell, | Thornton F. Marshall, | C. J. Walton, |
| Samuel E. DeHaven, | William H. McBrayer, | W. C. Whitaker—24. |

Those who voted in the negative, were—

| | | |
|---------------------|--------------------|----------------------|
| William T. Anthony, | Robert E. Glenn, | William B. Read, |
| James R. Barrick, | Thomas S. Grundy, | Albert G. Rhea, |
| A. D. Cosby, | Samuel H. Jenkins, | Henry M. Rust, |
| Alex. L. Davidson, | John M. Johnson, | E. Dudley Walker—12. |

And so said committee was discharged.

Messrs. Whitaker and Walton moved to reconsider the vote of the Senate discharging the committee from the further consideration of said leave.

And the further consideration of said motion was postponed for the present.

Mr. Fisk's report from the Select Committee on Federal Relations, according to special order, was then taken up for consideration.

Mr. Andrews offered the following amendment, viz :

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Amend the 5th resolution: 1st line, strike out "4th" and insert "6th."

Messrs. Bruner and Pennebaker moved the previous question,
And the question being taken, Shall the main question be now put?
it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Pennebaker and Rousseau, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---------------------|-----------------------|--------------------|
| T. T. Alexander, | William C. Gillis, | James Simpson, |
| Landaff W. Andrews, | Samuel Haycraft, | Harrison Taylor, |
| James R. Barrick, | Samuel H. Jenkins, | Cyrenius Wait, |
| John B. Bruner, | Thornton F. Marshall, | E. Dudley Walker, |
| A. D. Cosby, | Chas. D. Pennebaker, | C. J. Walton, |
| George Denny, | William B. Read, | W. C. Whitaker—20. |
| John F. Fisk, | L. H. Rousseau, | |

Those who voted in the negative, were—

| | | |
|--|----------------------------------|---------------------------------------|
| Mr. Speaker, (Porter,) William T. Anthony, | Samuel E. DeHaven, J. E. Gibson, | John M. Johnson, William H. McBrayer, |
| Samuel H. Boles, | Robert E. Glenn, | John A. Prall, |
| Charles Chambers, | Asa P. Grover, | Albert G. Rhea, |
| Benjamin P. Cissell, | Thomas S. Grundy, | Henry M. Rust—17. |
| Alex. L. Davidson, | John L. Irvan, | |

The question was then taken on the amendment offered by Mr. Andrews, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Marshall and Andrews, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---------------------|-----------------------|--------------------|
| T. T. Alexander, | William C. Gillis, | Albert G. Rhea, |
| Landaff W. Andrews, | Thomas S. Grundy, | L. H. Rousseau, |
| James R. Barrick, | Samuel Haycraft, | James Simpson, |
| John B. Bruner, | Samuel H. Jenkins, | Harrison Taylor, |
| A. D. Cosby, | Thornton F. Marshall, | Cyrenius Wait, |
| Samuel E. DeHaven, | C. D. Pennekaker, | E. Dudley Walker, |
| George Denny, | John A. Prall, | C. J. Walton, |
| John F. Fisk, | William B. Read, | W. C. Whitaker—24. |

Those who voted in the negative, were—

| | | |
|--|----------------------------------|---------------------------------|
| Mr. Speaker, (Porter,) William T. Anthony, | Alex. L. Davidson, J. E. Gibson, | John L. Irvan, John M. Johnson, |
| Samuel H. Boles, | Robert E. Glenn, | William H. McBrayer, |
| Charles Chambers, | Asa P. Grover, | Henry M. Rust—13. |
| Benjamin P. Cissell, | | |

And so said amendment was adopted.

The question was then taken on concurring in said report as amended, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Marshall and Andrews, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---------------------|-----------------------|--------------------|
| T. T. Alexander, | William C. Gillis, | Albert G. Rhea, |
| Landaff W. Andrews, | Robert E. Glenn, | L. H. Rousseau, |
| James R. Barrick, | Samuel Haycraft, | James Simpson, |
| John B. Bruner, | Samuel H. Jenkins, | Harrison Taylor, |
| Charles Chambers, | John M. Johnson, | Cyrenius Wait, |
| A. D. Cosby, | Thornton F. Marshall, | E. Dudley Walker, |
| Samuel E. DeHaven, | Chas. D. Pennebaker, | C. J. Walton, |
| George Denny, | William B. Read, | W. C. Whitaker—25. |
| John F. Fisk, | | |

Those who voted in the negative, were—

| | | |
|---|-------------------|----------------------|
| Mr. Speaker, (Porter,) Alex. L. Davidson, | John L. Irvan, | |
| William T. Anthony, | J. E. Gibson, | William H. McBrayer, |
| Samuel H. Boles, | Asa P. Grover, | John A. Prall, |
| Benjamin P. Cissell, | Thomas S. Grundy, | Henry M. Rust—12. |

Mr. Bruner moved to reconsider the vote by which the Senate concurred in the report of the select committee on Federal Relations.

Mr. Andrews moved to lay said motion on the table,

And the question being taken on said motion, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Irvan and Davidson, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---------------------|-----------------------|--------------------|
| T. T. Alexander, | John F. Fisk, | L. H. Rousseau, |
| Landaff W. Andrews, | William C. Gillis, | James Simpson, |
| James R. Barrick, | Samuel Haycraft, | Harrison Taylor, |
| John B. Bruner, | Samuel H. Jenkins, | Cyrenius Wait, |
| Charles Chambers, | Thornton F. Marshall, | C. J. Walton, |
| A. D. Cosby, | Chas. D. Pennebaker, | W. C. Whitaker—20. |
| George Denny, | William B. Read, | |

Those who voted in the negative, were—

| | | |
|--------------------------------------|----------------------|----------------------|
| Mr. Speaker, (Porter,) J. E. Gibson, | William H. McBrayer, | |
| William T. Anthony, | Robert E. Glenn, | John A. Prall, |
| Samuel H. Boles, | Asa P. Grover, | Albert G. Rhea, |
| Benjamin P. Cissell, | Thomas S. Grundy, | Henry M. Rust, |
| Alex. L. Davidson, | John L. Irvan, | E. Dudley Walker—17. |
| Samuel E. DeHaven, | John M. Johnson, | |

And so said motion was laid on the table.

The Speaker laid before the Senate the following communication, viz:

FEB. 1.]

JOURNAL OF THE SENATE.

143

LOUISVILLE, KENTUCKY,
January 30, 1861.]

GENTLEMEN: I have received intelligence of my appointment as one of the Commissioners of Kentucky to the convention to be held in Washington city on the 4th of February next.

Permit me to tender you my respectful acknowledgments for this manifestation of confidence by the Representatives of my native State.

Though laboring under the effects of an injury received twelve months since, I am able to repair to the place appointed for the meeting of Commissioners from the several States charged with the important duties indicated in the resolutions of the Virginia Legislature. Be assured, gentlemen, that every measure that may be calculated to preserve the Union of the States, and produce an amicable and honorable adjustment of our existing national difficulties, shall receive my earnest and unsaltering support.

Very respectfully,

Your obedient servant,

C. A. WICKLIFFE.

On motion of Mr. Andrews—

Ordered, That the Public Printer forthwith print 150 copies of the same for the use of the members of the General Assembly.

Mr. Gillis, from the Committee on Enrollments, reported that they had examined sundry enrolled resolutions and bills, of the following titles, viz:

An act for the benefit of John P. McLaughlin.

An act to amend the charter of the Covington and Cincinnati Bridge Company.

An act in relation to the Louisville and Frankfort railroad company.

An act to establish an additional voting place in the third magistrates' district, in Ballard county.

An act for the benefit of the Taylorsville and Mount Eden turnpike road company.

And that they had examined sundry enrolled bills originating in the House of Representatives, of the following titles, to-wit:

An act regulating the election of State officers in the county of Webster.

An act for the benefit of J. W. Hutcherson, of Elkton, Todd county.

An act to amend the charter of Canton, in Trigg county.

An act legalizing certain proceedings of the Harrison county court, and for other purposes.

An act to change the name of Eminence High School, in Henry county.

Leaves taken out before gal

An act to enlarge the limits of the town of Pleasureville, in Henry county.

An act supplemental to an act to amend an act concerning free negroes, &c.

An act to amend the laws in relation to the Cumberland Gap road, in Knox county.

An act to amend the charter of the Knob Lick turnpike road company.

An act to authorize the Calloway county court to change State road.

An act applying the general mechanics' lien law to Boyd, Montgomery, and Webster counties.

An act authorizing the Marshall county court to establish a road from Haydock's Ferry to Paducah

An act authorizing the Marshall county court to change State road.

An act to amend the charter of the Helena turnpike road, in Mason county.

An act to incorporate the United Irish Association of Maysville.

An act for the benefit of John C. Gibson, lessee of the Warsaw turnpike road.

An act in relation to magistrates' district No. 3, in Mercer county.

An act to exempt certain citizens of Spencer county from working roads.

An act to permit the trustees of the town of Greenville to change a street in said town.

Resolution providing compensation to the commissioners sent to Washington city.

And that the same were correctly enrolled.

Whereupon the Speaker affixed his signature to said bills, and they were returned to the committee to be by them presented to the Governor for his approval and signature.

Mr. DeHaven, from the Committee on Finance, according to the order of the Senate, reported a bill of the following title, viz:

A bill for the benefit of the sheriff of Washington county,

With the expression of opinion from said committee that it ought not to pass.

Mr. Andrews moved to refer the bill back to the committee.

Mr. DeHaven moved to refer it to a select committee composed of Messrs. Walton, Pennebaker, Jenkins and Cissell.

Pending the discussion of said motion, the hour of adjournment having arrived, the Senate adjourned.

SATURDAY, FEBRUARY 2, 1861.

Messrs. Anthony and Grover moved to reconsider the vote by which the Senate rejected a resolution reported by Mr. DeHaven, from the Committee on Finance, concerning the appointment of Commissioners to visit various portions of the State for the purpose of selecting a site for the Western Lunatic Asylum.

And the further consideration of said motion was for the present postponed.

1. Mr. Boles presented the petition of sundry citizens of Clinton county, asking relief under the present financial pressure.

2. Mr. Prall presented the petition of sundry citizens of Bath county, asking that a change in one of the precincts of said county be made.

3. Mr. Johnson presented the petition of sundry citizens of Livingston county, praying the passage of an act regulating the fishing and trading in said county.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Banks; the 2d to the Committee on Propositions and Grievances, and the 3d to the Committee on the Judiciary.

Under a suspension of the rules, the Senate took up, from the orders of the day, a bill of the following title, viz :

An act to amend the charter of the Masonic Temple Association.

The question being taken, Will the Senate concur in the amendments proposed by the House of Representatives to said bill?

It was decided in the affirmative.

Under a suspension of the rules, bills of the following titles were reported :

By Mr. Cissell, from a select committee—

A bill to amend the charter of the Highland Coal Company.

By Mr. Andrews, from a select committee—

A bill to incorporate the Carlisle Cemetery Company.

A bill to amend an act, entitled "An act in relation to the duties of clerks of courts," approved March 2, 1860.

By Mr. Read, from the Committee on the Court of Appeals—

A bill for the benefit of Wm. H. Middleton.

Which were read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of said bills having been dispensed with, and the same having been engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Under a suspension of the rules, the Senate took up a bill of the House of Representatives, of the following title, viz :

An act to incorporate the town of Dixon, in Webster county.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bill having been dispensed with,

Ordered, That said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Fisk, from the Committee on Revised Statutes, reported bills of the following titles, viz :

A bill to amend an act incorporating the Williamstown Academy.

A bill to amend the charter of Owenton.

A bill to amend chapter 86 of the Revised Statutes.

Which were read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The Senate then, according to order, resumed the consideration of a bill of the following title, viz :

A bill for the benefit of the sheriff of Washington county.

Mr. Andrews, by the permission of the Senate, withdrew the amendment proposed by him on a former day.

Mr. DeHaven, by leave of the Senate, also withdrew the amendment proposed by him on a former day.

Mr. Grundy moved further to amend by way of substitute for said bill.

Said substitute was adopted.

Mr. DeHaven moved that the bill be printed and made the special order for Monday next, at 11, A. M.

And the question being taken on said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Pennebaker and Cissell, were as follows, viz :

Those who voted in the affirmative, were—

| | |
|---------------------------------------|--------------------|
| Mr. Speaker, (Porter,) John F. Fisk, | William B. Read, |
| Landaff W. Andrews, J. E. Gibson, | Albert G. Rhea, |
| Samuel H. Boles, Asa P. Grover, | Harrison Taylor, |
| Benjamin P. Cissell, Samuel Haycraft, | E. Dudley Walker, |
| Samuel E. DeHaven, John A. Prall, | W. C. Whitaker—15. |

Those who voted in the negative, were—

| | |
|--|----------------------|
| T. T. Alexander, Robert E. Glenn, | William H. McBryer, |
| William T. Anthony, Thomas S. Grundy, | Chas. D. Pennebaker, |
| James R. Barrick, John L. Irvin, | L. H. Rousseau, |
| John B. Bruner, Samuel H. Jenkins, | Henry M. Rust, |
| A. D. Cosby, John M. Johnson, | James Simpson, |
| Alex. L. Davidson, Thornton F. Marshall, | Cyrenius Wait—19. |
| George Denny, | |

Ordered, That said bill be engrossed and read a third time.

The question was then taken on dispensing with the third reading of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Cissell and Glenn, were as follows, viz :

Those who voted in the affirmative, were—

| | |
|--|--------------------|
| T. T. Alexander, John F. Fisk, | C. D. Pennebaker, |
| William T. Anthony, J. E. Gibson, | Albert G. Rhea, |
| James R. Barrick, Robert E. Glenn, | L. H. Rousseau, |
| Samuel H. Boles, Thomas S. Grundy, | Henry M. Rust, |
| John B. Bruner, John L. Irvin, | James Simpson, |
| Benjamin P. Cissell, Samuel H. Jenkins, | Cyrenius Wait, |
| A. D. Cosby, John M. Johnson, | E. Dudley Walker, |
| Alex. L. Davidson, Thornton F. Marshall, | W. C. Whitaker—26. |
| George Denny, William H. McBryer, | |

Those who voted in the negative, were—

Mr. Speaker, (Porter,) William C. Gillis, John A. Prall,
Landaff W. Andrews, Asa P. Grover, William B. Read,
Samuel E. DeHaven, Samuel Haycraft, Harrison Taylor—9.

Ordered, That the Public Printer forthwith print 150 copies of said bill for the use of the General Assembly, and that said bill have its third reading on Monday next, at ten and a fourth o'clock, A. M.

A message was received from the House of Representatives, announcing that they had passed bills originating in the Senate, of the following titles, viz:

An act relating to the Flatwood's precinct, in Owsley county.

An act for the benefit of Samuel Kitchen.

An act to incorporate the Burksville Male and Female Academy.

An act to incorporate the Glennville Stock Association.

An act authorizing the election of a police judge and marshal for Hazelgreen.

An act to change the time of holding the Calloway and Marshall circuit courts.

An act to amend the charter of the Winchester and Mount Sterling turnpike road company.

An act for the benefit of the Bath county court.

An act to amend the charter of the town of Owingsville.

An act for the benefit of school district No. 37, in the county of Bath.

An act for the benefit of school district No. 17, in Whitley county.

An act for the benefit of the attorney of Danville.

An act regulating the jurisdiction of the special chancery courts in Washington and Marion counties.

And that they had passed bills of the following titles, viz:

An act authorizing the Richmond and Lexington turnpike company to change a toll-gate on said road.

An act to incorporate the Beargrass Packing and Manufacturing Company.

An act for the benefit of W. H. Caplinger.

An act to incorporate the Mayfield Insurance and Trust Company.

An act to incorporate the Bullitt County Manufacturing Company.

In which they respectfully asked the concurrence of the Senate.

And that they had received official information from the Governor that he had signed and approved sundry enrolled bills which had originated in that House, of the following titles, viz:

An act for the benefit of Wm. M. Edrington, as administrator of William Phillips.

An act establishing a circuit court in Wolfe county, and for other purposes.

An act to change the line of an election district in Harrison county.

An act regulating the times of holding the Whitley quarterly courts.

An act to establish an additional justices' district in Jefferson county.

An act to incorporate Bell City, in the county of Crittenden.

An act for the benefit of Shelby, Knox, and Webster counties.

An act to amend the charter of the Deposit Bank of Cynthiana.

Under a suspension of the rules of the Senate, Mr. Andrews offered the following resolution :

Resolved, That when the Senate adjourns at one and a half o'clock, it will adjourn to meet again at 3 o'clock this day, to dispose of the House bills on the Clerk's table.

Which was adopted.

The Senate then, according to order, took up for consideration bill of the following title :

A bill to amend the Civil Code of Practice.

Ordered, That said bill be referred to the Committee on the Judiciary.

An act creating the Deposit Bank of Greenville.

Ordered, That said bill be made the special order for Monday next, at twelve and a half o'clock, P. M.

An act to discontinue a portion of the State road in Kenton county.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bill having been dispensed with,

Mr. Fisk offered to amend said bill by way of a substitute therefor.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Also, resolutions from the House of Representatives returning thanks to those persons in the Northern States opposed to abolitionism.

Which were read, and referred to the Committee on Federal Relations.

The Senate also took up for consideration bills from the House of Representatives, of the following titles, viz:

1. An act to repeal an act, entitled "An act for the benefit of Rudolph Black, of Bracken county," approved February 22, 1860.
2. An act for the benefit of Garrard county.
3. An act to amend the charter of the Harmony and Fork turnpike road company.
4. An act to amend an act incorporating the town of Brownsville, in Edmonson county, approved February 15, 1860.
5. An act to incorporate the Hopkinsville Gymnastic Club.
6. An act for the benefit of William Southerland, of Nelson county.
7. An act to amend the laws regulating tolls at the toll-gates in Rockcastle county.
8. An act for the benefit of the police judge and town marshal of New Liberty, in Owen county.
9. An act to amend an act, entitled "An act to charter the Pulaski turnpike road company."
10. An act for the benefit of R. H. Perry, of Kenton county.
11. An act to change the time of holding the quarterly courts in Lyon county.
12. An act for the benefit of A. A. Nelson.
13. An act for the benefit of John M. Todd and William R. Campbell.
14. An act to repeal an act incorporating the Lewisport Pond Draining Company.
15. An act for the benefit of H. W. McNary.
16. An act conferring certain powers on the Union county court.
17. An act to change the boundary of Halley's precinct, in Breathitt county.
18. An act for the benefit of the town of Midway.
19. An act to repeal an act concerning judicial sales in the county of Jefferson.
20. An act for the benefit of George W. Darlington, late sheriff of Greenup county.
21. An act for the benefit of school district No. 54, in Allen county.
22. An act to incorporate the Old School Presbyterian Church, in Glasgow.

23. An act authorizing a change of voting place in district No. 3, in Clarke county.
24. An act to authorize the Board of Trustees of Warsaw to appoint a marshal.
25. An act to incorporate Moreland Lodge, No. 124, I. O. O. F.
26. An act to amend the charter of the Stanford and Hustonville turnpike road company.
27. An act authorizing the Henderson county court to levy a tax to build a jail.
28. An act to incorporate the Eddyville Union School.
29. An act for the benefit of school district No. 65, in Muhlenburg county.
30. An act to incorporate the Book and Tract Society of the Methodist Episcopal Church, South.
31. An act to amend the charter of Versailles.
32. An act for the benefit of the town of Liberty.
33. An act authorizing the Richmond and Lexington turnpike road company to change a toll-gate on said road.
34. An act changing the name of the Henderson Female Institute.
35. An act for the benefit of W. H. Caplinger.
36. An act to incorporate the Bullitt County Manufacturing Company.
37. An act for the benefit of Barboursville, London, Williamsburg, and Mount Vernon.
38. An act to incorporate the town of Pitt's Point.
39. An act to amend an act, entitled "An act for the improvement of Licking river," approved March 1, 1860.
40. An act further to amend chapter 86, of the Revised Statutes.
41. An act to amend an act, entitled "An act to incorporate the Verona and Morningview turnpike road company."
42. An act to extend the corporate limits of Lebanon.
43. An act for the benefit of the late sheriffs of Greenup, Lawrence, and Carter counties.
44. An act for the benefit of Wilson Brown, of Rockcastle county.
45. An act to incorporate the Iron Moulders' Local Union, of Covington.
46. An act to incorporate the Licking River Mining and Manufacturing Company.

47. An act to change the time of holding the quarterly court in Jackson county, and to legalize proceedings of said court.
48. An act to incorporate the Deposit Bank of New Liberty.
49. An act to sell some of the public books.
50. An act to repeal an act, entitled "An act to authorize the citizens of Warsaw to elect a police judge and town marshal."
51. An act to incorporate Lodge No. 81, I. O. O. F., of Louisville.
52. An act empowering the Owen county court to change a State road.
53. An act for the benefit of Richard M. Moore.
54. An act making the certificate of the Auditor of Public Accounts evidence in certain cases.
55. An act to allow non-resident aliens who are heirs and devisees, to hold and convey real estate.
56. An act to legalize the acknowledgment of deeds taken before the mayor of Newport.
57. An act for the benefit of Mrs. Mary Haviland.
58. An act for the benefit of William Magowan and J. V. Dewey.
59. An act for the benefit of William T. Moren.
60. An act for the benefit of William F. Quinn.
61. An act allowing George Noel, of Gallatin county, to peddle without license.
62. An act changing the boundary of the town of Woodsonville.
63. An act for the benefit of Charles W. and Sarah E. Castleman.
64. An act to incorporate the Campbellsburg Mutual Insurance Company.
65. An act amending an act incorporating the Munday's Landing and Harrodsburg turnpike road company.
66. An act for the benefit of Elijah L. Wisdom and Green Atwell.
67. An act for the benefit of the county of Fulton.
68. An act to establish and incorporate the town of Hardyville.
69. An act declaring Licking river a navigable stream from Licking Station to the Trace Branch.
70. An act authorizing the trustees of the Baptist church in Shelbyville to sell certain real estate.
71. An act amending an act incorporating the city of Columbus.
72. An act to incorporate the Beargrass Packing and Manufacturing Company.

73. An act to incorporate the Mayfield Insurance and Trust Company.

74. An act to repeal an act in relation to the collection of the railroad tax in McCracken county.

100. An act to authorize the Boone county court to sell and convey the poor-house lands, and for other purposes.

Which were read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bills having been dispensed with,

Mr. Andrews offered an amendment to the 37th,

Which was adopted.

Ordered, That the 38th, 42d, 50th, 54th, 55th, 61st, 62d, 63d, 64th, 70th, and 71st be referred to the Committee on the Judiciary; the 39th, 40th, 49th, and 56th to the Committee on the Revised Statutes; the 41st, 46th, 52d, 65th, 69th, and 74th to the Committee on Internal Improvement; the 43d, 53d, 57th, 58th, 59th, 60th, and 66th to the Committee on Finance; the 44th, 47th, 67th, and 68th to the Committee on County Courts; the 45th and 51st to the Committee on Religion; the 48th and 73d to the Committee on Banks, and the 72d to the Committee on Agriculture and Manufactures; and that the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, 15th, 16th, 17th, 18th, 19th, 20th, 21st, 22d, 23d, 24th, 25th, 26th, 27th, 28th, 29th, 30th, 31st, 32d, 33d, 34th, 35th, 36th, 37th, and 100th be read a third time.

The rule of the Senate, constitutional provision, and third reading of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Gillis, from the Committee on Enrollments, reported that they had examined sundry enrolled bills originating in the House of Representatives, of the following titles, viz:

An act for the benefit of shool district No. 13, in Livingston county.

An act to change the time of holding the Livingston quarterly courts.

An act repealing an act in relation to the town of Greenupsburg.

And that the same were correctly enrolled,

Whereupon the Speaker affixed his signature to said bills, and they were returned to the committee to be by them presented to the Governor for his approval and signature.

Under a suspension of the rules of the Senate, leave to bring in bills for the following purposes was granted.

On motion of Mr. Andrews—1. A bill for the benefit of the Sharpsburg and Carlisle turnpike road company.

On motion of Mr. Johnson—2. A bill for the benefit of G. F. Rabb, of McCracken county.

On motion of Mr. Cissell—3. A bill to amend article 63, of the Revised Statutes.

On motion of same—4. A bill to amend the charter of the Salem Academy.

On motion of Mr. Walker—5. A bill to amend the revenue laws of this Commonwealth.

On motion of Mr. Read—6. A bill regulating the time of assessing the taxable property.

On motion of Mr. Cosby—7. A bill fixing the boundary line between Henderson and Webster counties.

Ordered, That the Committee on the Judiciary prepare and bring in the 1st, 2d, 3d, and 4th; the Committee on the Revised Statutes the 5th; the Committee on Finance the 6th; and the Committee on Propositions and Grievances the 7th.

And then the Senate adjourned.

MONDAY, FEBRUARY 4, 1861.

Bills of the following titles were reported, viz:

By Mr. Grover, from the Committee on the Codes of Practice—
A bill to amend the Civil Code of Practice.

By Mr. Fisk, from the same committee—

A bill to amend the charter of Covington.

By Mr. Rust, from a select committee—

A bill to incorporate the Presbyterian Church of Greenupsburg.

By Mr. Whitaker, from the Committee on Circuit Courts—

A bill concerning the Jefferson circuit court.

Which were read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bills having been dispensed with,

Ordered, That the Public Printer forthwith print 150 copies of the 1st for the use of the members of the General Assembly, and that said bill be placed in the orders of the day, and that the 2d and 3d be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of said bills having been dispensed with, and the same having been engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Leave to bring in bills for the following purposes was granted:

On motion of Mr. Read—1. A bill to amend section 32, of the Civil Code of Practice.

On motion of Mr. Fisk—2. A bill in relation to the fees of jailers.

On motion of Mr. Gillis—3. A bill to amend the law in relation to surveyor's fees.

Ordered, That the Committee on the Codes of Practice prepare and bring in the 1st; the Committee on the Revised Statutes the 2d, and the Committee on the Court of Appeals the 3d.

The following resolutions were introduced:

By Mr. Grover—

Resolved, That the Auditor of Public Accounts is hereby directed to report to the Senate the cost upon the treasury of a recess of this General Assembly from the 6th of February to the fourth Wednesday in April, 1861, provided those entitled by law shall draw their pay from the treasury during said period.

By Mr. Walker—

Resolved, That the Committee on Finance be instructed to inquire into the expediency of repealing the offices of Treasurer and Secretary of the Institution for Feeble-minded Children so far as to have the duties performed by the Superintendent or some one officer; that they inquire what amount of money has been expended, and for what; what contracts have been made which are not completed. They are authorized to have the parties before them, make examination of books, &c., and report what salary will be reasonable, &c.

Which was adopted.

By Mr. Pennebaker—

Resolved by the Senate, That the Committee on the Geological Survey be requested to inquire into and report what steps may be necessary

to secure to the State the specimens procured at the cost of the State, and during said survey, which are now said to be in private hands.

Which was adopted.

By Mr. Walker—

Resolved, That the Committee on Finance be instructed to inquire into the propriety of repealing the law authorizing the Commissioners of the Sinking Fund to loan the money belonging to said institution, and report by bill or otherwise.

Which was adopted.

By Mr. Irvin—

WHEREAS, Six of the sovereign States of the United States of North America have formally and solemnly declared their withdrawal from the Union, and taken steps to form an independent and separate confederated Republic; and whereas, other States have unmistakably expressed their sympathy with the seceding States, and are now preparing to follow their example; and whereas, there is great danger of civil war, and the most dreadful consequences may result from events of recent occurrence, and now transpiring in various parts of the country; and whereas, it is right and proper, and even necessary, that in view of these extraordinary circumstances, and the momentous interests our fellow-citizens have at stake, that the people of this Commonwealth should assemble in State Convention, to take into consideration matters so nearly and vitally concerning them; therefore, be it

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Governor of the Commonwealth be authorized, and it is hereby made his duty, to issue his proclamation, calling upon the legal voters of Kentucky to assemble in their respective voting precincts, on the 22d day of February, 1861, and cast their votes, first, on the question: Shall there be a convention of the people? and next for delegates from the several counties or representative districts to said Convention.

Resolved, That should a majority of all the votes cast in the State at such election be in favor of having a convention of the people, then the Governor shall be required to issue his proclamation, convening such convention in the Capitol at Frankfort, on the 4th day of March, 1861.

Resolved, Should the decision of the people be in favor of a convention, the persons receiving the highest number of votes in the respective counties or representative districts shall be members of the convention: *Provided*, That the convention shall consist of the same number of delegates as there are members of the House of Representatives, possessed of like qualifications, and elected in the same manner.

Resolved, That the said convention of delegates shall be authorized to take such action in regard to the position, interests, duty, and honor of Kentucky, as the circumstances may require; but we recommend that their action shall be ratified by a majority of the votes cast at an election of the people, to whom it shall be submitted; such election to be held at a time not less than thirty days from the adjournment of the convention.

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Ordered, That the Public Printer forthwith print 150 copies of said resolutions, and that they be placed in the orders of the day.

By Mr. Walker—

Resolved, That the Committee on Printing inquire into the expediency of condensing the Auditor's Report, and limiting the number of copies printed, and report by bill or otherwise.

Ordered, That said resolution be referred to the Committee on the Library.

A message was received from the House of Representatives, announcing that they had passed bills originating in the Senate, of the following titles, viz :

1. An act to incorporate the Silver Creek and White's Mill turnpike road company,
2. An act for the benefit of the estate of R. C. Rice, deceased.
3. An act to authorize the sale of the Falmouth bridge, in Pendleton county.

And that they had passed bills of the following titles:

1. An act to amend the charter of the Merchants' Deposit Bank of Danville.
2. An act for the benefit of A. B. Nelson, of Adair county.
3. An act to authorize the sale and conveyance of the poor-house and poor-house lands in Henry county.
4. An act for the relief of school district No. 38, in Meade county.
5. An act changing the time of holding the Bullitt circuit court.
6. An act to prohibit the destruction of fish in the North Fork of Red river, in Logan county.
7. An act to change election district No. 5, in Montgomery county.
8. An act for the benefit of the Presbyterian church at Mt. Sterling.
9. An act to amend the charter of Bourbon Lodge, No. 23, I. O. of O. F.
10. An act amending acts incorporating the town of Moscow, in Hickman county.
11. An act for the benefit of John Cummins, late sheriff of Rockcastle county.
12. An act to incorporate the Mt. Vernon and Copper Creek turnpike road company.
13. An act authorizing the erection of a toll-gate on the Pleasant Hill and Jessamine County turnpike road.

14. An act to authorize the marshal of Owensboro to appoint a deputy.
15. An act for the benefit of W. A. L. B. Sharp, late sheriff of Estill county.
16. An act to authorize the election of a police judge in the town of Irvine.
17. An act to amend the charter of the Level Green and Sugar Creek turnpike road company.
18. An act to change the time of holding the Greenup quarterly court.
19. An act to change the voting place in district No. 9, in Hardin county.
20. An act to amend article 1, of chapter 86, of Revised Statutes.
21. An act to amend an act for the benefit of the trustees and citizens of the town of London.
22. An act to incorporate the Bloomfield Female Collegiate Institute.
23. An act to legalize the conveyances made to R. C. S. Alexander for lands on the waters of Green river.
24. An act to amend the charter of the Bryantsville and Cane Run turnpike road company.

Under a suspension of the rules, said bills were read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bills having been dispensed with,

Ordered, That the 1st be referred to the Committee on Banks; the 2d and 4th to the Committee on Finance; the 14th, 15th, 16th, and 23d to the Committee on the Judiciary; the 20th to the Committee on the Revised Statutes; and the 22d to the Committee on Education; that the 12th be laid on the table; and that the 3d, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 13th, 17th, 18th, 19th, and 24th be read a third time.

The rule of the Senate, constitutional provision, and third reading of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Haycraft called up the motion entered on a former day of the session, to reconsider the vote by which the Senate rejected a bill of the following title, viz:

An act the better to secure the rights of married women.

Mr. Fisk moved to lay said motion on the table.

And the question being taken on said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Alexander and Glenn, were as follows, viz :

Those who voted in the affirmative, were—

| | |
|--|----------------------|
| Mr. Speaker, (Porter,) Samuel E. DeHaven, | Chas. D. Pennebaker, |
| T. T. Alexander, John F. Fisk, | James Simpson, |
| Samuel H. Boles, William C. Gillis, | Harrison Taylor, |
| John B. Bruner, Asa P. Grover, | Cyrenius Wait, |
| Benjamin P. Cissell, Thornton F. Marshall, | W. C. Whitaker—15. |

Those who voted in the negative, were—

| | |
|---------------------------------------|----------------------|
| William T. Anthony, Robert E. Glenn, | William H. McBrayer, |
| Landaff W. Andrews, Samuel Haycraft, | William B. Read, |
| James R. Barrick, John L. Irvan, | Albert G. Rhea, |
| Alex. L. Davidson, Samuel H. Jenkins, | Henry M. Rust, |
| J. E. Gibson, John M. Johnson, | E. Dudley Walker—15 |

Ordered, That the vote by which said bill was rejected be reconsidered.

Further proceedings upon said bill were suspended by the Senate proceeding to the consideration of the special order, entitled

A bill allowing further time to the sheriffs, for the benefit of tax-payers.

Ordered, That the several votes of the Senate whereby the third reading of said bill was ordered and dispensed with, be reconsidered.

Mr. DeHaven offered the following amendment, viz :

Nor shall any of the counties whose sheriffs have failed to pay in their revenue, be entitled to any portion of the school fund until the amount due from said delinquents shall have been paid into the treasury.

Which was rejected.

The yeas and nays being required thereon by Messrs. DeHaven and Alexander, were as follows, viz :

Those who voted in the affirmative, were—

| | |
|---|--------------------|
| Mr. Speaker, (Porter,) Samuel E. DeHaven, | William B. Read, |
| T. T. Alexander, George Denny, | James Simpson, |
| Landaff W. Andrews, Asa P. Grover, | Harrison Taylor, |
| James R. Barrick, John L. Irvan, | W. C. Whitaker—13. |
| John B. Bruner, | |

Those who voted in the negative, were—

| | |
|--|----------------------|
| William T. Anthony, William C. Gillis, | William H. McBrayer, |
| Samuel H. Boles, Robert E. Glenn, | C. D. Pennebaker, |

| | | |
|----------------------|-----------------------|----------------------|
| Benjamin P. Cissell, | Thomas S. Grundy, | Albert G. Rhea, |
| A. D. Cosby, | Samuel Haycraft, | L. H. Rousseau, |
| Alex. L. Davidson, | Samuel H. Jenkins, | Henry M. Rust, |
| John F. Fisk, | John M. Johnson, | Cyrenius Wait, |
| J. E. Gibson, | Thornton F. Marshall, | E. Dudley Walker—21. |

Mr. Andrews offered the following resolution, viz :

Resolved, That the bill and amendments now under consideration be referred to a select committee composed of Messrs. Cissell, Grundy, and Jenkins, with instructions to bring in a bill granting relief to such counties, by name, as in their judgment the condition of such counties demand, and that said committee report to-morrow at half-past ten o'clock.

Which was rejected.

The yeas and nays being required thereon by Messrs. Pennebaker and Rust, were as follows, viz :

Those who voted in the affirmative, were—

| | |
|--------------------------------------|-------------------|
| Mr. Speaker, (Porter,) George Denny, | James Simpson, |
| T. T. Alexander, John F. Fisk, | Harrison Taylor, |
| Landaff W. Andrews, Asa P. Grover, | Cyrenius Wait—11. |
| Samuel E. DeHaven, Samuel Haycraft, | |

Those who voted in the negative, were—

| |
|---|
| William T. Anthony, William C. Gillis, Chas. D. Pennebaker, |
| James R. Barrick, Robert E. Glenn, William B. Read, |
| Samuel H. Boles, Thomas S. Grundy, Albert G. Rhea, |
| John B. Bruner, John L. Irvan, L. H. Rousseau, |
| Benjamin P. Cissell, Samuel H. Jenkins, Henry M. Rust, |
| A. D. Cosby, John M. Johnson, E. Dudley Walker, |
| Alex. L. Davidson, Thornton F. Marshall, W. C. Whitaker—23. |
| J. E. Gibson, William H. McBrayer, |

Mr. Pennebaker moved to amend said bill by striking out the word "acknowledged," in the 2d section, and insert in lieu thereof the words "entered upon record."

Which was adopted.

Mr. Fisk offered the following amendment, viz:

Nor shall any of the counties, whose sheriffs have failed to pay in the revenue due therefrom, be entitled to any greater portion of the school fund than the amount paid in shall bear to the amount due said county for school purposes.

Which was rejected.

The yeas and nays being required thereon by Messrs. Cissell and Rousseau, were as follows, viz :

Those who voted in the affirmative, were—

| | | |
|---------------------|-----------------------|--------------------|
| T. T. Alexander, | Samuel E. DeHaven, | William B. Read, |
| Landaff W. Andrews, | John F. Fisk, | Albert G. Rhea, |
| James R. Barrick, | Asa P. Grover, | James Simpson, |
| John B. Bruner, | John L. Irvan, | Harrison Taylor, |
| A. D. Cosby, | Thornton F. Marshall, | W. C. Whitaker—15. |

Those who voted in the negative, were—

| | | |
|----------------------|----------------------|----------------------|
| William T. Anthony, | Robert E. Glenn, | Chas. D. Pennebaker, |
| Samuel H. Boles, | Thomas S. Grundy, | L. H. Rousseau, |
| Benjamin P. Cissell, | Samuel Haycraft, | Henry M. Rust, |
| George Denny, | Samuel H. Jenkins, | Cyrenius Wait, |
| J. E. Gibson, | John M. Johnson, | E. Dudley Walker—17. |
| William C. Gillis, | William H. McBrayer, | |

Mr. Grover offered the following amendment, viz:

Provided further, That no sheriff shall be entitled to the benefit of this act until he file in the Auditor's office his statement in writing, with his affidavit attached—in substance—that he has not used for individual purposes, since the 15th of January last, any portion of the revenues by him collected, belonging to the State.

Mr. Andrews moved the previous question,

And the question being taken, Shall the main question be now put? it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Cissell and Grover, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---------------------|--------------------|-----------------------|
| T. T. Alexander, | George Denny, | Thornton F. Marshall, |
| Landaff W. Andrews, | John F. Fisk, | William B. Read, |
| James R. Barrick, | William C. Gillis, | Henry M. Rust, |
| Samuel H. Boles, | Asa P. Grover, | James Simpson, |
| John B. Bruner, | Samuel Haycraft, | Harrison Taylor, |
| Samuel E. DeHaven, | John L. Irvan, | Cyrenius Wait—18. |

Those who voted in the negative, were—

| | | |
|----------------------|----------------------|----------------------|
| William T. Anthony, | Robert E. Glenn, | Chas. D. Pennebaker, |
| Benjamin P. Cissell, | Thomas S. Grundy, | Albert G. Rhea, |
| A. D. Cosby, | Samuel H. Jenkins, | L. H. Rousseau, |
| Alex. L. Davidson, | John M. Johnson, | E. Dudley Walker, |
| J. E. Gibson, | William H. McBrayer, | W. C. Whitaker—15. |

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being demanded thereon by Messrs. Grundy and Pennebaker, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|----------------------|-----------------------|----------------------|
| William T. Anthony, | J. E. Gibson, | William H. McBrayer, |
| Samuel H. Boles, | William C. Gillis, | Chas. D. Pennebaker, |
| John B. Bruner, | Robert E. Glenn, | Albert G. Rhea, |
| Benjamin P. Cissell, | Thomas S. Grundy, | L. H. Rousseau, |
| A. D. Cosby, | Samuel Haycraft, | Henry M. Rust, |
| Alex. L. Davidson, | Samuel H. Jenkins, | Cyrenius Wait, |
| George Denny, | John M. Johnson, | E. Dudley Walker—23. |
| John F. Fisk, | Thornton F. Marshall, | |

Those who voted in the negative, were—

| | | |
|---------------------|------------------|--------------------|
| T. T. Alexander, | Asa P. Grover, | James Simpson, |
| Landaff W. Andrews, | John L. Irvan, | Harrison Taylor, |
| James R. Barrick, | William B. Read, | W. C. Whitaker—10. |
| Samuel E. DeHaven, | | |

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Rhea moved a suspension of the rules for the purpose of offering the following resolution, viz:

Resolved, That the Senate, when it adjourns at one and a half o'clock to-day, will adjourn to meet at 3 o'clock, P. M., for the transaction of business.

And the question being taken on said motion, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Marshall and Alexander, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|----------------------|--------------------|-----------------------|
| T. T. Alexander, | George Denny, | Thornton F. Marshall, |
| William T. Anthony, | John F. Fisk, | William H. McBrayer, |
| Landaff W. Andrews, | J. E. Gibson, | William B. Read, |
| James R. Barrick, | William C. Gillis, | Albert G. Rhea, |
| Samuel H. Boles, | Robert E. Glenn, | James Simpson, |
| John B. Bruner, | Asa P. Grover, | Harrison Taylor, |
| Benjamin P. Cissell, | Thomas S. Grundy, | Cyrenius Wait, |
| A. D. Cosby, | John L. Irvan, | E. Dudley Walker—26. |
| Alex. L. Davidson, | John M. Johnson, | |

Those who voted in the negative, were—

| | | |
|--------------------|----------------------|-------------------|
| Samuel E. DeHaven, | Chas. D. Pennebaker, | W. C. Whitaker—5. |
| Samuel H. Jenkins, | L. H. Rousseau, | |

And so said rule's were suspended.

Mr. Fisk offered the following amendment, viz:

- Strike out "3 o'clock" and insert "7 o'clock."

The yeas and nays being required thereon by Messrs. Fisk and Rousseau, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|----------------------|--------------------|-----------------------|
| William T. Anthony, | John F. Fisk, | Thornton F. Marshall, |
| Landaff W. Andrews, | J. E. Gibson, | William H. McBrayer, |
| John B. Bruner, | Asa P. Grover, | L. H. Rousseau, |
| Benjamin P. Cissell, | Samuel Haycraft, | Harrison Taylor, |
| Samuel E. DeHaven, | Samuel H. Jenkins, | Cyrenius Wait, |
| George Denny, | John M. Johnson, | E. Dudley Walker—18. |

Those who voted in the negative, were—

| | | |
|--------------------|----------------------|--------------------|
| T. T. Alexander, | William C. Gillis, | William B. Read, |
| James R. Barrick, | Robert E. Glenn, | Albert G. Rhea, |
| Samuel H. Boles, | Thomas S. Grundy, | Henry M. Rust, |
| A. D. Cosby, | John L. Irvin, | James Simpson, |
| Alex. L. Davidson, | Chas. D. Pennebaker, | W. C. Whitaker—15. |

The question was then taken on the adoption of the resolution, as amended, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Marshall and Alexander, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|----------------------|------------------|-----------------------|
| T. T. Alexander, | George Denny. | Thornton F. Marshall, |
| William T. Anthony, | John F. Fisk, | William H. McBrayer, |
| Landaff W. Andrews, | J. E. Gibson, | Albert G. Rhea, |
| James R. Barrick, | Robert E. Glenn, | Henry M. Rust, |
| Samuel H. Boles, | Asa P. Grover, | James Simpson, |
| John B. Bruner, | Samuel Haycraft, | Harrison Taylor, |
| Benjamin P. Cissell, | John L. Irvin, | E. Dudley Walker—23 |
| A. D. Cosby, | John M. Johnson, | |

Those who voted in the negative, were—

| | | |
|--------------------|----------------------|-------------------|
| Alex. L. Davidson, | Chas. D. Pennebaker, | Cyrenius Wait, |
| William C. Gillis, | William B. Read, | W. C. Whitaker—8. |
| Samuel H. Jenkins, | L. H. Rousseau, | |

Mr. Gillis, from the Committee on Enrollments, reported that they had examined sundry enrolled bills originating in the Senate, of the following titles, viz:

An act to amend the charter of the Masonic Temple Company.

An act regulating the jurisdiction of the special chancery courts in Washington and Marion counties.

And that they had examined sundry enrolled bills originating in the House of Representatives, of the following titles:

An act to incorporate the town of Dixon, in Webster county.

An act to repeal an act concerning judicial sales in the county of Jefferson.

And that the same were correctly enrolled.

Whereupon, the Speaker signed the same, and they were delivered to the committee to be by them presented to the Governor for his signature and approval.

Mr. Pennebaker moved to take up the motion entered on a former day of the session, to reconsider the vote by which the Senate rejected a bill from the House of Representatives, of the following title, viz:

An act for the benefit of Martin Looker & Co.

Which was adopted.

Ordered, That the said bill be referred to the Committee on Finance.

The Senate then, according to order, took up for consideration a bill of the following title, viz:

A bill to amend the charter of the Highland Coal Company.

Ordered, That the further consideration of said bill be postponed until to-morrow at 10½ o'clock A. M.

Mr. Cissell, from the Committee on the Judiciary, asked to be discharged from the further consideration of leave to bring in bills for the following purposes:

A bill for the benefit of Alexander L. Rogers, county judge of Christian county.

A bill to amend the charter of Edmonton.

Which was granted.

The same committee asked to be discharged from the further consideration of a leave to bring in

A bill for the benefit of Mrs. Truatone Noe.

And the question being taken on discharging said committee, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Johnson and Read, were as follows, viz:

Those who voted in the affirmative, were—

| | |
|---|--------------------|
| Mr. Speaker, (Porter,) Benjamin P. Cissell, | Samuel Haycraft, |
| T. T. Alexander, | Samuel E. DeHaven, |
| William T. Anthony, | George Denny, |
| Landaff W. Andrews, | John F. Fisk, |
| James R. Barrick, | William C. Gillis, |
| Samuel H. Boles, | Asa P. Grover, |
| John B. Bruner, | Thomas S. Grundy, |

| | |
|----------------|-----------------------|
| John L. Irvan, | Thornton F. Marshall, |
| | Albert G. Rhea, |
| | James Simpson, |
| | Harrison Taylor, |
| | W. C. Whitaker—21. |

Those who voted in the negative, were—

| | | |
|--------------------|-------------------|-----------------|
| A. D. Cosby, | John M. Johnson, | L. H. Rousseau, |
| Alex. L. Davidson, | C. D. Pennebaker, | Cyrenius Wait, |

J. E. Gibson, William B. Read, E. Dudley Walker—10.
Robert E. Glenn,

And so said committee was discharged.

On motion of Mr. Cissell, the committee was discharged from the further consideration of petitions for the following purposes:

The petition of Elijah Smith, asking the appointment of a commissioner to make a settlement between himself and the old Commonwealth's Bank.

The petition of Bertha Hawes, asking the passage of an act for her benefit.

The petition of sundry citizens of Livingston county, praying the passage of an act preventing illegal fishing and sale of whisky within said county.

Bills of the following titles were reported, viz:

By Mr. Cissell, from the Committee on the Judiciary—

A bill to incorporate the American Workingmen's Benevolent Association, of Covington.

A bill to amend an act, entitled "An act to incorporate the Salem Academy."

A bill requiring the Register of the Land Office to issue patents in certain cases.

Which were read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bills having been dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of said bills having been dispensed with, and the same having been engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

By same—

Bills of the House of Representatives, of the following titles, viz:

An act to extend the corporate limits of the town of Lebanon, Kentucky.

An act allowing George Noel, of Gallatin county, to peddle without license.

An act changing the boundary of the town of Woodsonville, With the expression of opinion that they ought not to pass.

And the question being taken an rejecting said bills, it was decided in the affirmative.

And so said bills were rejected.

By same—

1. An act to incorporate the town of Pitt's Point.
2. An act to incorporate the Campbellsburg Mutual Insurance Company.
3. An act concerning the police and city courts, and fees of county attorneys.
4. An act for the benefit of Charles W. and Sarah E. Castleman.

Ordered, That the 1st be referred to the Committee on the Court of Appeals; the 2d to the Committee on Revised Statutes, and the 3d have its third reading to-morrow morning at 10½ o'clock, and that the 4th be referred to the Committee on the Judiciary.

By same—

1. An act repealing an act providing for the payment of the public debt of Greenup county.
2. An act authorizing the trustees of the Baptist church in Shelbyville to sell certain real estate.
3. An act making the certificate of the Auditor of Public Accounts evidence in certain cases.
4. An act to repeal an act, entitled "An act to authorize the citizens of the town of Warsaw to elect a police judge and marshal."
5. An act amending an act incorporating the city of Columbus.
6. An act to allow non-resident aliens who are heirs and devisees to hold and convey real estate.

With amendments to the 1st and 4th,

Which were adopted.

Ordered, That said bills be read a third time.

The rule of the Senate, constitutional provision, and third reading of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Simpson, from the same committee, reported a bill of the following title, viz.:

A bill to amend an act to prevent fraudulent assignments in trust for creditors, and other fraudulent conveyances.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bill having been dispensed with,

Mr. Whitaker moved to amend said bill,

But before any action was taken on said amendment,

The Senate adjourned.

TUESDAY, FEBRUARY 5, 1861.

1. Mr. Read presented the petition of sundry citizens praying the passage of an act giving relief under the present pressure.

2. Mr. Fisk presented the petition of sundry citizens of Covington, praying the passage of an act allowing certain free negroes the privilege of visiting the State of Ohio.

Which were received, the reading dispensed with, and referred—the first to the Committee on Banks; the second to the Committee on the Revised Statutes.

Leave to bring in a bill of the following purport was granted:

On motion of Mr. Taylor—

A bill to amend the charters of the banks of issue.

Ordered, That the Committee on Banks prepare and bring in said bill.

The Senate, according to special order, took up for consideration a bill from the House of Representatives, of the following title, viz:

An act concerning the police and city courts, and fees of county attorneys.

Said bill was read a third time.

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message in writing was received from the Governor, by the hands of Mr. Tate, Assistant Secretary of State.

Said message was read, as follows, *to-wit*:

EXECUTIVE OFFICE,
February 5, 1861.]

Gentlemen of the Senate:

I nominate for your advice and consent, the following persons as Notaries Public for the counties named, viz:

- J. D. Jones, Boyd county.
A. C. Martin, Boyd county.
F. T. Fox, jr., Boyle county.
Robert N. Winn, Clarke county.
W. A. Piner, Campbell county.
Geo. B. Hodge, Campbell county.
F. W. Alexander, Cumberland county.
John Hogan, Carroll county.
Wm. B. Wall, Daviess county.
Jas. W. Cochran, Fayette county.
Thos. P. Wherritt, Garrard county.
Wm. Owens, jr., Hickman county.
George F. Beatty, Henderson county.
L. H. Lyne, Henderson county.
L. H. Rousseau, Jefferson county.
Robert A. Watts, Jefferson county.
John B. Bell, Jefferson county.
Jos. A. Hamilton, Jefferson county.
H. V. Sanders, Jefferson county.
R. H. Higgins, Jefferson county.
A. M. Gazlay, Jefferson county.
William F. Bullock, Jefferson county.
James Chambers, Jefferson county.
D. W. Wilson, Jefferson county.
W. H. Beymoth, Jefferson county.
James Harrison, Jefferson county.
W. G. Reasor, Jefferson county.
B. D. Kennedy, Jefferson county.
W. Marriner, Jefferson county.
A. M. Stout, Jefferson county.
Chas. Franke, Jefferson county.
Jas. I. Dozier, Jefferson county.
B. L. McDougale, Jefferson county.
H. C. Pindell, Jefferson county.
Conrad Shroeder, Jefferson county.
Fred'k Frishe, Jefferson county.
J. C. Herndon, Kenton county.
James Ayras, jr., Kenton county.
John P. Harrison, Kenton county.
Jos. Harris, jr., McCracken county.
L. A. Fuqua, McCracken county.
J. R. Lambreth, Muhlenburg county.
A. Ryder, Marion county.
Wm. W. Howard, Nicholas county.
J. W. Muir, Nelson county.

E. Edwin McKay, Nelson county.
 Wm. H. Nall, Ohio county.
 Jno. R. Robinson, Taylor county.
 W. P. Hays, Warren county.
 A. C. McElroy, Washington county.
 G. C. Gaines, Webster county.
 W. F. Vaughan, Webster county.
 H. L. Woolfork, Webster county.
 John Brooks, Webster county.

B. MAGOFFIN.

Ordered, That the Senate advise and consent to the nominations above made.

A message was received from the House of Representatives announcing that they had passed a bill originating in the Senate, of the following title, viz:

A bill concerning the Jefferson circuit court,
With an amendment.

Under a suspension of the rules, said bill was taken up, the amendment proposed by the House of Representatives was twice read, and concurred in.

The Senate then, according to special order, resumed the consideration of a bill of the following title, viz:

A bill to amend an act to prevent fraudulent assignments, in trust for creditors, and other fraudulent conveyances.

Mr. Pennebaker offered the following amendment, by way of substitute for said bill:

Strike out all after the enacting clause, and insert "that the act to prevent fraudulent assignments, in trust for creditors, approved March 10th., 1856, be, and the same is hereby, repealed: *Provided*, That this act shall in no wise affect actions now pending under the act hereby repealed, nor to cases in which causes of action may have heretofore accrued under said act."

The question being taken on the adoption of said amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. DeHaven and Taylor, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|------------------------|--------------------|-----------------------|
| Mr. Speaker, (Porter.) | William C. Gillis, | Thornton F. Marshall, |
| William T. Anthony, | Robert E. Glenn, | Chas. D. Pennebaker, |
| Landaff W. Andrews, | Asa P. Grover, | Albert G. Rhea, |
| Samuel H. Boles, | John L. Irvan, | Henry M. Rust, |
| Alex. L. Davidson, | Samuel H. Jenkins, | Cyrenius Wait, |
| John F. Fisk, | John M. Johnson, | W. C. Whitaker—18. |

Those who voted in the negative, were—

| | | |
|----------------------|-------------------|----------------------|
| T. T. Alexander, | George Denny, | William B. Read, |
| James R. Barrick, | J. E. Gibson, | L. H. Rousseau, |
| John B. Bruner, | Thomas S. Grundy, | James Simpson, |
| Benjamin P. Cissell, | Samuel Haycraft, | Harrison Taylor, |
| A. D. Cosby, | John A. Prall, | E. Dudley Walker—16. |
| Samuel E. DeHaven, | | |

And so said amendment was adopted.

The question was then taken upon ordering said bill, as amended, to be engrossed and read a third time, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Rhea and Rust, were as follows, viz:

Those who voted in the affirmative, were—

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| Mr. Speaker, (Porter.) | John F. Fisk, | C. D. Pennebaker, |
| William T. Anthony, | Robert E. Glenn, | Albert G. Rhea, |
| Landaff W. Andrews, | Asa P. Grover, | Henry M. Rust, |
| Samuel H. Boles, | Samuel H. Jenkins, | Cyrenius Wait, |
| Alex. L. Davidson, | Thornton F. Marshall, | W. C. Whitaker—15. |

Those who voted in the negative, were—

| | | |
|----------------------|--------------------|----------------------|
| T. T. Alexander, | J. E. Gibson, | John A. Prall, |
| James R. Barrick, | William C. Gillis, | William B. Read, |
| John B. Bruner, | Thomas S. Grundy, | L. H. Rousseau, |
| Benjamin P. Cissell, | Samuel Haycraft, | James Simpson, |
| A. D. Cosby, | John L. Irvan, | Harrison Taylor, |
| Samuel E. DeHaven, | John M. Johnson, | E. Dudley Walker—19. |
| George Denny, | | |

And so said bill was rejected.

The Senate then, according to special order, took up for consideration a bill of the following title, viz:

A bill to amend the charter of the Highland Coal Company.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bill having been dispensed with,

Mr. Cissell offered an amendment, which was adopted.

Mr. Grover offered the following amendment:

§ 21. *Be it further enacted*, That the General Assembly reserves the right to alter, amend, or repeal this charter at pleasure.

And the question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Alexander and Pennebaker, were as follows, viz:

Those who voted in the affirmative, were—

| | |
|---|-----------------------|
| Mr. Speaker, (Porter,) William C. Gillis, | Thornton F. Marshall, |
| William T. Anthony, Robert E. Glenn, | Chas. D. Pennebaker, |
| Landaff W. Andrews, Asa P. Grover, | Albert G. Rhea, |
| Samuel H. Boles, Samuel Haycraft, | Cyrenius Wait, |
| Alex. L. Davidson, Samuel H. Jenkins, | W. C. Whitaker—16. |
| John F. Fisk, | |

Those who voted in the negative, were—

| | |
|-------------------------------------|----------------------|
| T. T. Alexander, George Denny. | L. H. Rousseau, |
| James R. Barrick, J. E. Gibson, | Henry M. Rust, |
| John B. Bruner, Thomas S. Grundy, | James Simpson, |
| Benjamin P. Cissell, John L. Irvan, | Harrison Taylor, |
| A. D. Cosby, John A. Prall, | E. Dudley Walker—17. |
| Samuel E. DeHaven, William B. Read, | |

Mr. Simpson moved to lay the bill on the table,

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Cissell and Grover, were as follows, viz :

Those who voted in the affirmative, were—

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| T. T. Alexander, Thomas S. Grundy, | William B. Read, |
| Samuel H. Boles, John L. Irvan, | Albert G. Rhea, |
| John B. Bruner, Samuel H. Jenkins, | James Simpson, |
| Alex. L. Davidson, Thornton F. Marshall, | Harrison Taylor, |
| George Denny, William H. McBrayer, | E. Dudley Walker, |
| John F. Fisk, John A. Prall, | W. C. Whitaker—19. |
| Asa P. Grover, | |

Those who voted in the negative, were—

| | |
|--|----------------------|
| Mr. Speaker, (Porter,) A. D. Cosby, | John M. Johnson, |
| William T. Anthony, Samuel E. DeHaven, | Chas. D. Pennebaker, |
| Landaff W. Andrews, J. E. Gibson, | Henry M. Rust, |
| James R. Barrick, Robert E. Glenn, | Cyrenius Wait—14. |
| Benjamin P. Cissell, Samuel Haycraft, | |

Under a suspension of the rules, Mr. Rust, from the Committee on Geological Survey, made the following report, viz :

The Committee on Geological Survey, in response to the resolution of inquiry which passed the Senate on the 4th February, 1861, requesting the committee to inquire into and report what steps may be necessary to secure to the State the specimens procured at the cost of the State during the period the Geological Survey of Kentucky was being made, and which are now in private hands, would beg leave to submit the following report:

The limited time allowed the committee of making full investigations concerning the matters embraced in said resolution prevents them from reporting definitely as to the amount and value of the specimens aforesaid; but from the most reliable information which the commit-

tee have been enabled to procure, they are prepared to say, that while the late Dr. D. D. Owen was in the employ of the State, as State Geologist, his assistants sent him a large number of geological, palæontological, and other specimens, at the expense of the State, for investigation. These specimens are evidently the property of the State, in the opinion of the committee.

The committee would further report, that some time last fall, to-wit: the fall of 1860, Dr. D. D. Owen departed this life, and they are creditably informed that his administrators are now parcelling out his collections, including those which belong to the State of Kentucky, into lots ranging from five to five hundred dollars, to be sold to those who may see proper to purchase them.

The committee further report, that they are advised that the collections aforesaid are at New Harmony, Indiana; and that the sale of the same will commence on or about the 12th or 14th inst., (February, 1861.) The great value of these collections will thus be lost to the State, as well as the purpose defeated for which they were selected. Being exclusively a Kentucky collection, well described and well labeled, they are of inestimable value to our farming and mining interests, representing to any person interested, in a small compass, the mineral and agricultural wealth of any and all sections of our State, and ought by all means to be procured by the State. The committee are indebted to Professor W. N. Hailman, of the Male High School, of the city of Louisville, for the information upon which this report is based.

In view of the foregoing facts, therefore, the committee would recommend the adoption of the following resolution:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Attorney General of the State of Kentucky be, and hereby is, empowered and directed forthwith to adopt such measures, by suit or otherwise, as in his judgment shall be proper, to obtain for the State the immediate possession of the geological specimens, minerals, &c., in possession or under the control of the late D. D. Owen, State Geologist, at the time of his death, and which are the property of this State; and that said Attorney General report his proceedings at the next term of this General Assembly.

HENRY M. RUST, Ch'n Com. Geological Survey.

Said resolution was twice read, and concurred in.

Ordered, That the Public Printer forthwith print 150 copies of said report for the use of the members of the General Assembly.

The Senate then, according to general order, took up for consideration the following:

A bill to amend an act requiring trustees, &c., in certain cases, to execute bond.

Ordered, That said bill be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with, and the same having been engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A bill to amend the Civil Code of Practice,

Which is as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That title 13, section 611, of the Civil Code of Practice, be so amended that it shall not hereafter be lawful for an attorney at law, or agent, to make oath to a plea of *non est factum*, except the agent or attorney of a corporation.

§ 2. That this act shall take effect from and after its passage.

Ordered, That said bill be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with, and the same having been engrossed,

The question was taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Grover and Read, were as follows, viz :

Those who voted in the affirmative, were—

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|---|----------------------|
| Mr. Speaker, (Porter,) William C. Gillis, | John M. Johnson, |
| T. T. Alexander, Robert E. Glenn, | James Simpson, |
| Samuel H. Boles, Asa P. Grover, | Harrison Taylor, |
| Alex. L. Davidson, Thomas S. Grundy, | E. Dudley Walker—14. |
| George Denny, Samuel H. Jenkins, | |

Those who voted in the negative, were—

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|---|
| William T. Anthony, Samuel E. DeHaven, Chas. D. Pennebaker, |
| Landaff W. Andrews, John F. Fisk, William B. Read, |
| James R. Barrick, J. E. Gibson, Albert G. Rhea, |
| John B. Bruner, Samuel Haycraft, L. H. Rousseau, |
| Benjamin P. Cissell, John L. Irvan, Cyrenius Wait, |
| A. D. Cosby, Thornton F. Marshall, W. C. Whitaker—18. |

The Senate then took up the following resolution offered by Mr. Bruner on a former day:

Resolved, That the Auditor be, and he is hereby, requested to report to the Senate, at his earliest convenience, what rate of increase of taxation per annum on the \$100 worth of property in Kentucky is necessary to raise the sum of \$3,661,469 70, and also the sum of \$5,000,000, and what proportion each county will be required to pay. Also, if he has any data upon which to form a proximate estimate, to report to the Senate what will be the probable depreciation in value of taxable property in the Commonwealth since January 1st, 1860, from the agitation of the question of secession.

Mr. Pennebaker moved to lay said resolution on the table.

The yeas and nays being required thereon by Messrs. Bruner and Pennebaker, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|----------------------|----------------------|-------------------|
| William T. Anthony, | Asa P. Grover, | William B. Read, |
| Benjamin P. Cissell, | John L. Irvan, | Albert G. Rhea, |
| Alex. L. Davidson, | Samuel H. Jenkins, | L. H. Rousseau |
| Samuel E. DeHaven, | John M. Johnson, | Henry M. Rust—14. |
| J. E. Gibson, | Chas. D. Pennebaker, | |

Those who voted in the negative, were—

| | | |
|---------------------|-----------------------|--------------------|
| T. T. Alexander, | John F. Fisk, | James Simpson, |
| Landaff W. Andrews, | William C. Gillis, | Harrison Taylor, |
| James R. Barrick, | Robert E. Glenn, | Cyrenius Wait, |
| John B. Bruner, | Samuel Haycraft, | E. Dudley Walker, |
| A. D. Cosby, | Thornton F. Marshall, | W. C. Whitaker—16. |
| George Denny, | | |

And so the Senate refused to lay said resolution on the table.

Mr. Cissell offered the following amendment to said resolution:

Strike out all after the word "pay," in the 8th line.

Which was adopted.

The question was then taken on the adoption of said resolution, as amended, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bruner and Rhea, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---------------------|-----------------------|--------------------|
| T. T. Alexander, | William C. Gillis, | L. H. Rousseau, |
| Landaff W. Andrews, | Robert E. Glenn, | James Simpson, |
| James R. Barrick, | Samuel Haycraft, | Harrison Taylor, |
| John B. Bruner, | Thornton F. Marshall, | Cyrenius Wait, |
| A. D. Cosby, | C. D. Pennebaker, | E. Dudley Walker, |
| George Denny, | William B. Read, | W. C. Whitaker—20. |
| John F. Fisk, | Albert G. Rhea, | |

Those who voted in the negative, were—

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|--------------------------------------|--------------------|
| Mr. Speaker, (Porter,) J. E. Gibson, | Samuel H. Jenkins, |
| William T. Anthony, Asa P. Grover, | John M. Johnson, |
| Benjamin P. Cissell, John L. Irvan, | Henry M. Rust—10. |
| Alex. L. Davidson, | |

And so said resolution was adopted.

Mr. Irvan offered the following resolution:

Resolved, That when the Senate adjourns at 1½ o'clock, it will adjourn to meet at 3 o'clock, for the purpose of holding an evening session.

Which was adopted.

The Senate then took up the following resolution offered by Mr. Grover on a former day of the session:

Resolved, That the Auditor of Public Accounts be, and hereby is, directed to report to the Senate the cost upon the treasury of a recess of this General Assembly from the 6th of February to the 4th Monday in April, 1861, provided those entitled by law shall draw their pay from the treasury during said period.

Mr. Walker offered the following amendment by way of a substitute:

Resolved by the Senate of Kentucky, That when the present Legislature shall adjourn in accordance with a resolution already passed by this Senate to adjourn on the 6th instant, and meet again on the 4th Wednesday in April, or adjourn on any other day to meet on a different and distant day, that the members of this body and its officers receive no per diem pay, for the number of days embraced in the interim from the day of adjournment to that of the reassembling. Such interim, in the opinion of the Senate, constituting no part of the session, therefore the members of this body and officers are entitled to no per diem.

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Fisk and Read, were as follows, viz:

Those who voted in the affirmative, were—

| | |
|--------------------------------------|-----------------------|
| Mr. Speaker, (Porter,) George Denny, | Chas. D. Pennebaker, |
| T. T. Alexander, | John F. Fisk, |
| William T. Anthony, | J. E. Gibson, |
| Landaff W. Andrews, | William C. Gillis, |
| James R. Barrick, | Robert E. Glenn, |
| Samuel H. Boles, | Asa P. Grover, |
| John B. Bruner, | Thomas S. Grundy, |
| Benjamin P. Cissell, | Samuel Haycraft, |
| A. D. Cosby, | John L. Irvan, |
| Alex. L. Davidson, | John M. Johnson, |
| Samuel E. DeHaven, | Thornton F. Marshall, |
| | |
| | Willam B. Read, |
| | Albert G. Rhea, |
| | L. H. Rousseau, |
| | Henry M. Rust, |
| | James Simpson, |
| | Harrison Taylor, |
| | Cyrenius Wait, |
| | E. Dudley Walker, |
| | W. C. Whitaker—32. |

In the negative—none.

Said resolution, as amended, was then adopted.

The Senate then took up the following resolution:

Resolved by the General Assembly of the Commonwealth of Kentucky, That under the Constitution we have no right in our official capacity to call a convention of delegates from the people of Kentucky, at this time, to alter, amend, or abolish the present Constitution of Kentucky, nor to change our relations to the Government of the United States.

Mr. Fisk moved to lay said resolution on the table.

The yeas and nays being required on said motion by Messrs. Cissell and Anthony, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|----------------------|--------------------|----------------------|
| William T. Anthony, | William C. Gillis, | Chas. D. Pennebaker, |
| Landaff W. Andrews, | Robert E. Glenn, | William B. Read, |
| James R. Barrick, | Asa P. Grover, | Albert G. Rhea, |
| Benjamin P. Cissell, | Thomas S. Grundy, | James Simpson, |
| A. D. Cosby, | Samuel Haycraft, | Harrison Taylor, |
| Samuel E. DeHaven, | John L. Irvan, | Cyrenius Wait, |
| John F. Fisk, | John M. Johnson, | W. C. Whitaker—21. |

Those who voted in the negative, were—

| | | |
|------------------------|-----------------------|----------------------|
| Mr. Speaker, (Porter), | Alex. L. Davidson, | L. H. Rousseau, |
| T. T. Alexander, | George Denny, | Henry M. Rust, |
| Samuel H. Boles, | J. E. Gibson, | E. Dudley Walker—11. |
| John B. Bruner, | Thornton F. Marshall, | |

And so said resolution was laid on the table.

Mr. Johnson, from the Committee on Banks, under a suspension of the rules of the Senate, reported a bill of the following title, viz:

A bill to establish the Sinking Fund Bank.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bill having been dispensed with,

Ordered, That the Public Printer forthwith print 150 copies of said bill for the use of the members of the General Assembly.

The Senate then took up for consideration a bill of the following title, viz:

A bill regulating fees of justices of the peace.

Ordered, That said bill be laid on the table.

Mr Cissell, from the Committee on the Judiciary, asked to be discharged from the further consideration of the petition of sundry persons asking that the limits of Springfield be enlarged.

Which was granted,

Bills of the following titles were reported, viz:

By Mr. Cissell, from the Committee on the Judiciary—

A bill for the benefit of Springfield.

By Mr. Andrews, from the same committee—

A bill for the benefit of the Carlisle and Sharpsburg turnpike road company.

By Mr. Rhea, from the Committee on County Courts—

A bill to amend the charter of Rochester.

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By Mr. Rhea, from the Committee on Finance—

A bill for the benefit of W. G. Harrison and Anderson Graves.

By Mr. Pennebaker, from the Committee on the Revised Statutes—

A bill to amend an act, entitled "An act to amend the charter of the city of Louisville, for school purposes, approved February 28, 1860.

By Mr. Pennebaker, from the Committee on Finance—

A bill for the benefit of the sureties of John G. Pickens, late sheriff of Clinton county.

By Mr. Read, from the Committee on Court of Appeals—

A bill changing the time of holding the Bullitt county court.

Which were read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bills having been dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of said bills having been dispensed with, and the same having been engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Andrews, from the Committee on the Judiciary, reported a bill of the following title, viz :

A bill for the benefit of circuit court clerks.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bill having been dispensed with,

Sundry amendments were proposed to said bill.

Ordered, That said bill and proposed amendments be referred to a committee composed of Messrs. Rousseau, Andrews, and Haycraft.

By Mr. Johnson, from the Committee on Banks—

A bill allowing Ellis, Cooke, and others, further time to establish a ferry at Cairo.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bill having been dispensed with,

Ordered, That said bill be referred to the Committee on the Judiciary, with instructions to report to-morrow at 10½ o'clock.

The yeas and nays being required on said motion by Messrs. Cissell and Anthony, were as follows, viz :

Those who voted in the affirmative, were—

| | | |
|----------------------|--------------------|----------------------|
| William T. Anthony, | William C. Gillis, | Chas. D. Pennebaker, |
| Landaff W. Andrews, | Robert E. Glenn, | William B. Read, |
| James R. Barrick, | Asa P. Grover, | Albert G. Rhea, |
| Benjamin P. Cissell, | Thomas S. Grundy, | James Simpson, |
| A. D. Cosby, | Samuel Haycraft, | Harrison Taylor, |
| Samuel E. DeHaven, | John L. Irvan, | Cyrenius Wait, |
| John F. Fisk, | John M. Johnson, | W. C. Whitaker—21. |

Those who voted in the negative, were—

| | | |
|------------------------|-----------------------|----------------------|
| Mr. Speaker, (Porter), | Alex. L. Davidson, | L. H. Rousseau, |
| T. T. Alexander, | George Denny, | Henry M. Rust, |
| Samuel H. Boles, | J. E. Gibson, | E. Dudley Walker—11. |
| John B. Bruner, | Thornton F. Marshall, | |

And so said resolution was laid on the table.

Mr. Johnson, from the Committee on Banks, under a suspension of the rules of the Senate, reported a bill of the following title, viz :

A bill to establish the Sinking Fund Bank.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bill having been dispensed with,

Ordered, That the Public Printer forthwith print 150 copies of said bill for the use of the members of the General Assembly.

The Senate then took up for consideration a bill of the following title, viz :

A bill regulating fees of justices of the peace.

Ordered, That said bill be laid on the table.

Mr Cissell, from the Committee on the Judiciary, asked to be discharged from the further consideration of the petition of sundry persons asking that the limits of Springfield be enlarged.

Which was granted,

Bills of the following titles were reported, viz :

By Mr. Cissell, from the Committee on the Judiciary—

A bill for the benefit of Springfield.

By Mr. Andrews, from the same committee—

A bill for the benefit of the Carlisle and Sharpsburg turnpike road company.

By Mr. Rhea, from the Committee on County Courts—

A bill to amend the charter of Rochester.

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By Mr. Rhea, from the Committee on Finance—

A bill for the benefit of W. G. Harrison and Anderson Graves.

By Mr. Pennebaker, from the Committee on the Revised Statutes—

A bill to amend an act, entitled "An act to amend the charter of the city of Louisville, for school purposes, approved February 28, 1860.

By Mr. Pennebaker, from the Committee on Finance—

A bill for the benefit of the sureties of John G. Pickens, late sheriff of Clinton county.

By Mr. Read, from the Committee on Court of Appeals—

A bill changing the time of holding the Bullitt county court.

Which were read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bills having been dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of said bills having been dispensed with, and the same having been engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Andrews, from the Committee on the Judiciary, reported a bill of the following title, viz :

A bill for the benefit of circuit court clerks.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bill having been dispensed with,

Sundry amendments were proposed to said bill.

Ordered, That said bill and proposed amendments be referred to a committee composed of Messrs. Rousseau, Andrews, and Haycraft.

By Mr. Johnson, from the Committee on Banks—

A bill allowing Ellis, Cocke, and others, further time to establish a ferry at Cairo.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bill having been dispensed with,

Ordered, That said bill be referred to the Committee on the Judiciary, with instructions to report to-morrow at 10½ o'clock.

By Mr. Read, from the Committee on the Court of Appeals—

An act to incorporate the town of Pitt's Point, with sundry amendments, which were adopted.

Ordered, That said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with,

Ordered, That said bill be rejected.

Mr. Gillis, from the Committee on Enrollments, reported that they had examined sundry enrolled bills originating in the Senate, of the following titles:

An act for the benefit of Samuel Kitchen.

An act to amend the charter of the town of Owingsville.

An act for the benefit of the estate of R. C. Rice, deceased.

An act for the benefit of the attorney of Danville.

An act to incorporate the town of Gratz, in Owen county.

An act for the benefit of school district No. 17, in Whitley county.

An act for the benefit of school district No. 37, in the county of Bath.

An act to amend the charter of the Winchester and Mount Sterling turnpike road company.

An act for the benefit of the Bath county court.

An act to change the time of holding the Calloway and Marshall circuit courts.

An act authorizing the election of a police judge and marshal for Hazelgreen.

An act to incorporate the Silver Creek and White's Mill turnpike road company,

An act to incorporate the Lodge of Free and Accepted Masons, of Muhlenburg county.

An act to amend the charter of Elizabethtown.

An act relating to the Flatwood's precinct, in Owsley county.

An act to incorporate the Burksville Male and Female Academy.

An act to incorporate the Glennville Stock Association.

An act concerning the Jefferson circuit court.

Also enrolled bills of the House of Representatives of the following titles, viz:

An act for the benefit of Garrard county.

An act to amend the charter of the Harmony and Fork turnpike road company.

An act for the benefit of John M. Todd and William R. Campbell.

An act for the benefit of R. H. Perry, of Kenton county.

An act for the benefit of the police judge and town marshal of New Liberty, in Owen county.

An act to amend an act, entitled "An act to charter the Pulaski turnpike road company."

An act to repeal an act, entitled "An act for the benefit of Rudolph Black, of Bracken county," approved February 22, 1860.

An act to incorporate the Hopkinsville Gymnastic Club.

An act for the benefit of A. A. Nelson.

An act to amend an act incorporating the town of Brownsville, in Edmonson county, approved February 15, 1860.

An act for the benefit of William Southerland, of Nelson county.

An act to amend the laws regulating tolls at the toll-gates in Rockcastle county.

An act to revive and amend the act to incorporate the town of Florence, in Boone county.

An act to incorporate the Old School Presbyterian Church, in Glasgow.

An act to change the time of holding the quarterly courts in Lyon county.

An act to repeal an act incorporating the Lewisport Pond Draining Company.

An act to change the boundary of Halley's precinct, in Breathitt county.

An act for the benefit of H. W. McNary.

An act for the benefit of the town of Midway.

An act for the benefit of George W. Darlington, late sheriff of Greenup county.

An act authorizing the Henderson county court to levy a tax to build a jail.

An act changing the name of the Henderson Female Institute.

An act to incorporate the Bullitt County Manufacturing Company.

And that the same were correctly enrolled, whereupon the Speaker signed the same, and they were handed back to the committee to be by them presented to the Governor for his approval and signature.

And then the Senate adjourned.

WEDNESDAY, FEBRUARY 6, 1861.

1. Mr. Denny presented the petition of Silas Newland, praying the formation of a school district in the county of Madison.

2. By same, the petition of L. B. Martin and others, of Madison county, praying the passage of an act changing a school district in said county.

Which were received, the reading dispensed with, and referred to the Committee on Education.

Mr. Simpson, from the Committee on the Judiciary, reported a bill of the following title, viz:

A bill limiting the time of commencing certain actions.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bill being dispensed with,

Mr. Cissell offered the following amendment, viz:

This act shall take effect on the 1st of March, 1862.

Mr. Fisk offered the following amendment to the amendment offered by Mr. Cissell, viz:

Amend by striking out the "first day of March, 1862," and insert the "first day of March next."

Mr. Pennebaker moved the previous question.

And the question being taken, Shall the main question be now put? it was decided in the affirmative.

The question was then taken on the amendment offered by Mr. Fisk to the amendment proposed by Mr. Cissell,

And it was decided in the negative.

The yeas and nays being required thereon by Messrs. Cissell and Irvan, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---------------------|--------------------|-----------------------|
| Landaff W. Andrews, | J. E. Gibson, | Thornton F. Marshall, |
| James R. Barrick, | William C. Gillis, | John A. Prall, |
| Alex. L. Davidson, | Asa P. Grover, | William B. Read, |
| George Denny, | Thomas S. Grundy, | Henry M. Rust, |
| John F. Fisk, | Samuel H. Jenkins, | E. Dudley Walker—15. |

Those who voted in the negative, were—

| | | |
|---|---------------------------------------|---------------------------------|
| Mr. Speaker, (Porter,) T. T. Alexander, | Samuel Haycraft, John L. Irvan, | L. H. Rousseau, James Simpson, |
| William T. Anthony, John B. Bruner, | John M. Johnson, William H. McBrayer, | Harrison Taylor, Cyrenius Wait, |
| Benjamin P. Cissell, A. D. Cosby, | Chas. D. Pennebaker, Albert G. Rhea, | W. C. Whitaker—17. |

And so said amendment was rejected.

The question was then taken on the amendment proposed by Mr. Cissell,

And it was decided in the negative.

The yeas and nays being required thereon by Messrs. Rust and Cissell, were as follows, viz:

Those who voted in the affirmative, were—

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|---|---|---------------------------------|
| Mr. Speaker, (Porter,) T. T. Alexander, | A. D. Cosby, Robert E. Glenn, | Albert G. Rhea, L. H. Rousseau, |
| William T. Anthony, Samuel H. Boles, | John L. Irvan, John M. Johnson, | Harrison Taylor, Cyrenius Wait, |
| John B. Bruner, Benjamin P. Cissell, | William H. McBrayer, Chas. D. Pennebaker, | W. C. Whitaker—17. |

Those who voted in the negative, were—

| | | |
|---------------------------------------|--|---------------------------------|
| Landaff W. Andrews, James R. Barrick, | William C. Gillis, Asa P. Grover, | John A. Prall, William B. Read, |
| Alex. L. Davidson, George Denny. | Thomas S. Grundy, Samuel Haycraft, | Henry M. Rust, James Simpson, |
| John F. Fisk, J. E. Gibson, | Samuel H. Jenkins, Thornton F. Marshall, | E. Dudley Walker—17. |

And so said amendment was rejected.

The question was then taken on ordering said bill to be engrossed and read a third time.

Said bill is as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That the provisions of chapter sixty-three, of the Revised Statutes, shall, after the first day of August, one thousand eight hundred and sixty-one, apply to and embrace all actions, whether the cause of action in such cases accrued before or since the Revised Statutes took effect.

§ 2. *Be it further enacted,* That the provisions of chapter sixty-three, of the Revised Statutes, so far as any of them are inconsistent with this amendatory act, be, and the same are hereby, repealed.

And it was decided in the negative.

The yeas and nays being required thereon by Messrs. Prall and Davidson, were as follows, viz :

Those who voted in the affirmative, were—

| | | |
|---------------------|-----------------------|----------------------|
| Landaff W. Andrews, | William C. Gillis, | John A. Prall, |
| James R. Barrick, | Asa P. Grover, | William B. Read, |
| Alex. L. Davidson, | Thomas S. Grundy, | Henry M. Rust, |
| George Denny, | Samuel Haycraft, | James Simpson, |
| John F. Fisk, | Thornton F. Marshall, | E. Dudley Walker—16. |
| J. E. Gibson, | | |

Those who voted in the negative, were—

| | |
|--|----------------------|
| Mr. Speaker, (Porter,) A. D. Cosby, | Chas. D. Pennebaker, |
| T. T. Alexander, Robert E. Glenn, | Albert G. Rhea, |
| William T. Anthony, John L. Irvan, | L. H. Rousseau, |
| Samuel H. Boles, Samuel H. Jenkins, | Harrison Taylor, |
| John B. Bruner, John M. Johnson, | Cyrenius Wait, |
| Benjamin P. Cissell, William H. McBrayer, W. C. Whitaker—18. | |

And so said bill was rejected.

Mr. Andrews, from the Committee on the Judiciary, according to special order, reported a bill of the following title, viz:

A bill allowing Ellis, Cocke, and others, further time to establish a ferry at Cairo.

Mr. Jenkins moved to refer said bill to a select committee, composed of Messrs. Whitaker, Marshall, and Prall.

Which was rejected.

Mr. Andrews moved the previous question.

And the question being taken “Shall the main question be now put?”

It was decided in the affirmative.

Ordered, That said bill be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

The question was taken on its passage, and it was decided in the affirmative.

Said bill read as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That an act, entitled “An act to authorize Hawes, Trimble, and Wickliffe, to establish a ferry opposite Cairo, Illinois,” approved March 1, 1860, so far as the same gives to said Hawes, Trimble, and Wickliffe the right to establish said ferry in preference to Powhatan Ellis, a resident owner, together with Richard J. Cocke, Philip St. George Cocke, joint owners, is hereby so far repealed as to allow said owners to apply to the Ballard county court to establish such ferry within the next twelve months after this act takes effect; and said county court shall determine the right to establish said ferry, and the parties entitled thereto, according to the laws of this Commonwealth in force at the time of the passage of said act; but should said parties not apply

within the time aforesaid, then said act, authorizing said Hawes, Trimble, and Wickliffe to establish said ferry, to remain in full force.

§ 2. This act shall take effect from its passage.

The yeas and nays being demanded thereon by Messrs. Jenkins and Grover, were as follows, viz:

Those who voted in the affirmative, were—

| | |
|---------------------------------------|----------------------|
| Mr. Speaker, (Porter,) John F. Fisk, | John M. Johnson, |
| T. T. Alexander, William C. Gillis, | Chas. D. Pennebaker, |
| Landaff W. Andrews, Robert E. Glenn, | Albert G. Rhea, |
| John B. Bruner, Asa P. Grover, | James Simpson, |
| Benjamin P. Cissell, Samuel Haycraft, | Harrison Taylor—16. |
| A. D. Cosby, | |

Those who voted in the negative, were—

| | |
|--|--------------------|
| William T. Anthony, John L. Irvin, | William B. Read, |
| Samuel H. Boles, Samuel H. Jenkins, | Cyrenius Wait, |
| Alex. L. Davidson, Thornton F. Marshall, | E. Dudley Walker, |
| Samuel E. DeHaven, William H. McBrayer, | W. C. Whitaker—14. |
| J. E. Gibson, John A. Prall, | |

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Messrs. Gillis and Alexander moved to reconsider the vote by which the Senate passed the above bill.

Mr. Johnson moved to lay said motion on the table.

And the question being taken on said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Prall and Whitaker, were as follows, viz:

Those who voted in the affirmative, were—

| | |
|---|--|
| T. T. Alexander, Robert E. Glenn, Albert G. Rhea, | |
| Landaff W. Andrews, Asa P. Grover, James Simpson, | |
| John B. Bruner, John M. Johnson, Harrison Taylor, | |
| Benjamin P. Cissell, Chas. D. Pennebaker, Cyrenius Wait—13. | |
| John F. Fisk, | |

Those who voted in the negative, were—

| | |
|---|--|
| Mr. Speaker, (Porter,) J. E. Gibson, William H. McBrayer, | |
| William T. Anthony, William C. Gillis, John A. Prall, | |
| James R. Barrick, Thomas S. Grundy, William B. Read, | |
| Samuel H. Boles, Samuel Haycraft, L. H. Rousseau | |
| A. D. Cosby, John L. Irvin, Henry M. Rust, | |
| Alex. L. Davidson, Samuel H. Jenkins, E. Dudley Walker, | |
| Samuel E. DeHaven, Thornton F. Marshall, W. C. Whitaker—22. | |
| George Denny, | |

And so the Senate refused to lay said motion on the table.

The question was then taken on reconsidering the vote by which the Senate passed said bill.

Ordered, That said vote be reconsidered.

Messrs. Alexander and Gibson moved to reconsider the vote by which the Senate on yesterday rejected a bill from the House of Representatives, of the following title, viz:

An act to incorporate the town of Pitt's Point.

And the question being taken on said motion, it was decided in the affirmative.

Said bill having been reported to the House of Representatives as having been rejected by the Senate,

The Speaker appointed Mr. Read a committee to request of the House of Representatives permission to withdraw said bill.

Who in a short time returned, informed the Senate that he had discharged the duty assigned him, and laid the bill upon the table of the Secretary.

A message was received from the House of Representatives, announcing that they had passed a bill and resolutions of the following titles, viz:

An act to appropriate money to the Eastern and Western Lunatic Asylums.

Resolutions declaring further action by the Legislature on political affairs unnecessary and inexpedient at this time.

Under a suspension of the rules, Mr. Andrews offered the following resolution, viz:

Resolved, That when the Senate adjourns at 1½ o'clock, it adjourn to meet again at 3 o'clock, to proceed with the business before the Senate.

Which was adopted.

The Senate then, according to order, took up bills and resolutions of the following titles:

An act creating the Deposit Bank of Greenville.

The question being taken on the passage of said bill, it was decided in the affirmative.

The yeas and nays being demanded thereon by Messrs. Alexander and Cissell, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---------------------|--------------------|-------------------|
| William T. Anthony, | William C. Gillis, | C. D. Pennebaker, |
| Landaff W. Andrews, | Robert E. Glenn, | John A. Prall, |
| James R. Barrick, | Samuel Haycraft, | L. H. Rousseau, |

John B. Bruner, John M. Johnson, Henry M. Rust,
 A. D. Cosby, Thornton F. Marshall, Cyrenius Wait,
 Samuel E. DeHaven, William H. McBrayer, E. Dudley Walker—18.

Those who voted in the negative, were—

| | | |
|---|-------------------------------|---------------------------------|
| Mr. Speaker, (Porter,) T. T. Alexander, | George Denny, J. E. Gibson, | Albert G. Rhea, |
| Samuel H. Boles, Benjamin P. Cissell, | Asa P. Grover, John L. Irvin, | James Simpson, Harrison Taylor, |
| Alex. L. Davidson, | William B. Read, | W. C. Whitaker—14. |

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Resolutions providing for a call of a Convention, which read as follows, viz :

WHEREAS, Six of the sovereign States of the United States of North America have formally and solemnly declared their withdrawal from the Union, and taken steps to form an independent and separate confederated Republic; and whereas, other States have unmistakably expressed their sympathy with the seceding States, and are now preparing to follow their example; and whereas, there is great danger that civil war, and the most dreadful consequences, may result from events of recent occurrence, and now transpiring in various parts of the country; and whereas, it is right, proper, and even necessary, that in view of these extraordinary circumstances, and the momentous interests our fellow-citizens have at stake, that the people of this Commonwealth should assemble in State Convention, to take into consideration matters so nearly and vitally concerning them; therefore, be it

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That the Governor of this Commonwealth be authorized, and it is hereby made his duty, to issue his proclamation, calling upon the legal voters of Kentucky to assemble in their respective voting precincts, on the 22d day of February, 1861, and cast their votes, first, on the question: Shall there be a convention of the people? and next for delegates from the several counties or representative districts to said Convention.

2. *Resolved*, That should a majority of all the votes cast in the State at such election be in favor of having a convention of the people, then the Governor shall be required to issue his proclamation, convening such convention in the Capitol at Frankfort, on the 4th day of March, 1861.

3. *Resolved*, Should the decision of the people be in favor of a convention, the persons receiving the highest number of votes in the respective counties or representative districts shall be members of the convention: *Provided*, That the convention shall consist of the same number of delegates as there are members of the House of Representatives, possessed of like qualifications, and elected in the same manner.

4. *Resolved*, That the said convention of delegates shall be authorized to take such action in regard to the position, interests, duty, and honor of Kentucky, as the circumstances may require; but we recommend that their action shall be ratified by a majority of the votes cast at

an election of the people to whom it shall be submitted, such election to be held at a time not less than thirty days from the adjournment of the convention.

Mr. Prall offered the following as a substitute for said resolutions:

1. *Resolved by the General Assembly of the Commonwealth of Kentucky,* That if amendments to the Constitution of the United States shall be proposed by Congress, or a Convention assembling under a call from Congress, the Governor of the Commonwealth is hereby empowered and requested to issue his proclamation for the election of delegates to a State Convention, to act upon the same, prescribing therein the day when it shall assemble: *Provided*, The amendments are required by the body proposing them to be acted upon in State Conventions; and at any time after the 1st day of May, 1861, if two thirds of the States have not joined in a call upon Congress to assemble a convention to provide for amendments to the Constitution, and Congress shall not have proposed amendments to the Constitution, or if such amendments, having been proposed by Congress, or such convention, shall not have been accepted by three fourths of the States, the Governor is authorized and empowered to issue his proclamation, calling upon the legal voters of Kentucky to assemble in their respective precincts, and cast their votes upon the following question: "Shall there be a convention of delegates from the people?" And if a majority of all the votes cast shall be for a convention, then the Governor shall issue his proclamation, fixing a day not less than forty days thereafter, for the election of delegates, to assemble at such time as may be fixed in said proclamation; and the persons having the highest number of votes shall be delegates to said convention; and the said convention of delegates shall be empowered to take such action in regard to the position of Kentucky as her interests seem to require; but their action shall not be valid and binding, involving the political relations of Kentucky, until submitted to the people, and approved by a majority of all the legal voters of the State, according to the Auditor's report of 1857. The basis of representation shall be the same as is prescribed for representation in the House of Representatives, by the apportionment bill passed at the session of 1859-60.

2. *Resolved*, That when this General Assembly adjourns on Monday, the 11th of February, 1861, at 12 o'clock, M., it will adjourn *sine die*.

Mr. Andrews moved to lay the resolutions and substitute on the table.

And the question being taken on said motion, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Irvin and Prall, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---------------------|--------------------|-----------------|
| Landaff W. Andrews, | William C. Gillis, | Albert G. Rhea, |
| James R. Barrick, | Samuel Haycraft, | L. H. Rousseau, |
| John B. Bruner, | Samuel H. Jenkins, | James Simpson, |

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| A. D. Cosby, | Thornton F. Marshall, Harrison Taylor, |
| George Denny, | C. D. Pennebaker, Cyrenius Wait, |
| John F. Fisk, | William B. Read, W. C. Whitaker—18. |

Those who voted in the negative, were—

| | |
|---|----------------------|
| Mr. Speaker, (Porter,) Robert E. Glenn, | William H. McBrayer, |
| William T. Anthony, Asa P. Grover, | John A. Prall, |
| Benjamin P. Cissell, Thomas S. Grundy, | Henry M. Rust, |
| Alex. L. Davidson, John L. Irvin, | E. Dudley Walker—14. |
| J. E. Gibson, | John M. Johnson, |

And so said resolutions and substitute were laid on the table.

Resolved, That said bill be referred to the Committee on Banks.

Ordered, That said bill be referred to the Committee on Banks.

An act to incorporate the town of Pitt's Point.

On motion of Mr. Read, the vote ordering said bill to be read a third time was reconsidered.

Mr. Read proposed certain amendments to said bill, which were adopted.

Ordered, That said bill, as amended, be read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

An act appropriating money to the Eastern and Western Lunatic Asylums.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bill having been dispensed with,

Ordered, That the further consideration of said bill be postponed until to-morrow, at 12, M., and that the Public Printer forthwith print 150 copies of the same for the use of the members of the General Assembly.

Resolutions declaring further action by this Legislature on political affairs unnecessary and inexpedient at this time,

Which were read.

Mr. Cissell called for a division of said resolutions.

Mr. Rust offered the following as a substitute for said resolutions, viz:

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That this General Assembly regard the present movement of several of the Southern States, in resuming the powers they delegated to the General Government, as an effort to preserve our Constitution from

being overthrown by Abraham Lincoln, as his party platform requires and demands him to do.

2. *Resolved*, That we are for the Union—the Union of our fathers—for the Constitution, the glorious charter of our liberties, as expounded by the recognized authority upon the basis of equal justice, liberty, and immunities to all the citizens of all the States.

3. *Resolved*, That, believing that the people of the Southern States are, and have ever been, content to remain in the Union under the Constitution as originally designed, the people of Kentucky deeply sympathize with their brethren of the other Southern States, in their unwilling resistance to an incoming administration, which, by a perverted and unauthorized construction of the Constitution, tends to destroy their peace, welfare, and happiness.

4. *Resolved*, That the people of Kentucky are firmly and unalterably opposed to any and every attempt on the part of the Government, or the people of the North, to coerce the Southern States, or any one of them, into *submission* to the will of the majority of the North, when that will has been authoritatively declared by the Supreme Court to be in opposition to the true construction of the Constitution of the United States.

5. *Resolved*, That we will, by all proper and legitimate means, oppose, discountenance, and prevent the Republican party from making any aggressive attempt, under the plea of "enforcing the laws" and "preserving the Union," upon the rights of the Southern States, believing as we do that any such attempt can only result in a protracted and destructive civil war to attain an end which that party can readily and peaceably accomplish by abandoning their hostility to the South, and declaring their willingness to abide by the Constitution, as interpreted by the Supreme Court, and accepted by all conservative men of the country.

6. *Resolved*, That we regard the dominant majority in the North, which, to use the language of Jefferson, "has wriggled itself into power under the auspices of morality," as embodying the policy that Great Britain has pursued for a quarter of a century, in endeavoring to equalize the races on this continent, to reduce the white men to a forbidden level with negroes, and thus overthrow not only the Union, but destroy the glorious free institutions which, seventy-six years ago, our fathers extorted from an unwilling despot; and if any additional evidence be needed to show the alliance of the so-called Republican party with the monarchists of Great Britain to dissolve this Union, regardless of its fearful consequences, it can be found in the fact that its recognized leaders in Congress have deliberately rejected Senator Crittenden's compromise, although it is well known it does not grant the South her full, just, and equal rights under the Constitution.

7. *Resolved*, That the strongest bond of the Union is the Constitution, and we most emphatically declare that the present confederation of States can only be maintained and perpetuated by a faithful observance of the provisions of that instrument, and an unequivocal recognition of the equality of the States.

8. *Resolved*, That justice and equality to the slave States require that they be unmolested in the management of their social institutions;

that their citizens receive common protection with the citizens of the free States in the enjoyment of their privileges and property when moving into a common territory, and whilst under a territorial government; that the fugitive slave law be observed and enforced in letter and in spirit; and that every law of a free State, which has for its object the nullification of the fugitive slave act, or to render it in any wise inoperative, should be repealed; prompt action on the part of the free States giving ample guarantees that such constitutional rights and equality of the slave States shall be respected, is the only means by which peace and tranquility can be restored to a distracted country.

9. *Resolved*, That we sincerely and earnestly desire the perpetuation of the Union; its downfall would be disastrous to human freedom; and if so terrible a catastrophe shall mark the history of this nation, the cause will be properly attributable to the fanaticism of the Northern section of the Confederacy. In such an hour our destiny will be found united with our native South.

Mr. Andrews moved the previous question.

And the question being taken, Shall the main question be now put? it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Irvan and Marshall, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---------------------|-----------------------|--------------------|
| T. T. Alexander, | John F. Fisk, | L. H. Rousseau, |
| Landaff W. Andrews, | William C. Gillis, | James Simpson, |
| James R. Barrick, | Samuel Haycraft, | Harrison Taylor, |
| John B. Bruner, | Thornton F. Marshall, | Cyrenius Wait, |
| A. D. Cosby, | Chas. D. Pennebaker, | W. C. Whitaker—17. |
| George Denny, | William B. Read, | |

Those who voted in the negative, were—

| | | |
|---------------------------------------|----------------------|----------------------|
| Mr. Speaker, (Porter,) Asa P. Grover, | William H. McBrayer, | |
| William T. Anthony, | Thomas S. Grundy, | John A. Prali, |
| Benjamin P. Cissell, | John L. Irvan, | Albert G. Rhea, |
| Alex. L. Davidson, | Samuel H. Jenkins, | Henry M. Rust, |
| J. E. Gibson, | John M. Johnson, | E. Dudley Walker—16. |
| Robert E. Glenn, | | |

The reading of the substitute was then called for by Mr. Rhea; and before said reading was had, the hour of adjournment—half-past one o'clock, P. M.—having arrived, the Senate adjourned.

The Senate met at 3 o'clock, P. M., pursuant to adjournment.

Mr. Grundy moved to amend the substitute offered by Mr. Rust.

Mr. Bruner raised the question of order, whether the previous question, having been ordered before the adjournment at 1½ o'clock, did not preclude any amendments being now entertained.

The Speaker decided that the previous question was rendered null and void by the adjournment.

Mr. Bruner took an appeal from the decision of the Speaker, and filed the following bill of exceptions:

SENATE CHAMBER.

Resolutions from the House on Federal Relations, entitled "Resolutions declaring action by the Legislature on political affairs unnecessary and inexpedient at this time," were offered, to which the Senator from Greenup offered a substitute. The previous question was moved and sustained. Pending the question, the hour for adjournment, 1½ o'clock, came. By resolution of the Senate, adopted previously to sustaining the previous question, the Senate adjourned at 1½ o'clock until 3 o'clock P. M., the same day. Senate met pursuant to adjournment. The Senator from Washington offered an amendment to the substitute, to which the Senator from Breckinridge objected—he urging that the amendment was precluded by the previous question. The Speaker decided that the adjournment destroyed the force and effect of the previous question, and permitted the amendment to be offered; from which decision the Senator from Breckinridge appeals.

Mr. Andrews moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken, "Shall the decision of the Chair stand as the decision of the Senate?" and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Rust and Cissell, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|----------------------|--------------------|----------------------|
| William T. Anthony, | Robert E. Glenn, | John M. Johnson, |
| Samuel H. Boles, | Asa P. Grover, | William H. McBrayer, |
| Benjamin P. Cissell, | Thomas S. Grundy, | John A. Prall, |
| A D. Cosby, | John L. Irvan, | Albert G. Rhea, |
| Alex. L. Davidson, | Samuel H. Jenkins, | Henry M. Rust—16. |
| J. E. Gibson, | | |

Those who voted in the negative, were—

| | | |
|---------------------|-----------------------|--------------------|
| T. T. Alexander, | William C. Gillis, | James Simpson, |
| Landaff W. Andrews, | Samuel Haycraft, | Harrison Taylor, |
| James R. Barrick, | Thornton F. Marshall, | Cyrenius Wait, |
| John B. Bruner, | Chas. D. Pennebaker, | E. Dudley Walker, |
| George Denny, | William B. Read, | W. C. Whitaker—17. |
| John F. Fisk, | L. H. Rousseau, | |

The question was then taken on the adoption of the substitute offered by Mr. Rust, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Irvan and Cissell, were as follows, viz:

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Those who voted in the affirmative, were—

| | |
|--------------------------------------|----------------------|
| Mr. Speaker, (Porter,) J. E. Gibson, | John L. Irvan; |
| William T. Anthony, Robert E. Glenn, | William H. McBrayer, |
| Benjamin P. Cissell, Asa P. Grover, | Albert G. Rhea, |
| Alex. L. Davidson, Thomas S. Grundy, | Henry M. Rust—12. |

Those who voted in the negative, were—

| | |
|--------------------------------------|--------------------|
| T. T. Alexander, William C. Gillis, | L. H. Rousseau, |
| Landaff W. Andrews, Samuel Haycraft, | James Simpson, |
| James R. Barrick, Samuel H. Jenkins, | Harrison Taylor, |
| John B. Bruner, John M. Johnson, | Cyrenius Wait, |
| A. D. Cosby, Thornton F. Marshall, | E. Dudley Walker, |
| George Denny, Chas. D. Pennebaker, | W. C. Whitaker—20. |
| John F. Fisk, William B. Read, | |

And so said substitute was rejected.

The question was then taken on concurring in the joint resolution, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Alexander and Cissell, were as follows, viz:

Those who voted in the affirmative, were—

| | |
|--------------------------------------|----------------------|
| Mr. Speaker, (Porter,) J. E. Gibson, | Chas. D. Pennebaker, |
| T. T. Alexander, William C. Gillis, | John A. Prall, |
| William T. Anthony, Robert E. Glenn, | William B. Read, |
| Landaff W. Andrews, Asa P. Grover, | Albert G. Rhea, |
| James R. Barrick, Thomas S. Grundy, | L. H. Rousseau, |
| John B. Bruner, Samuel Haycraft, | Henry M. Rust, |
| Benjamin P. Cissell, John L. Irvan, | James Simpson, |
| A. D. Cosby, Samuel H. Jenkins, | Harrison Taylor, |
| Alex. L. Davidson, John M. Johnson, | Cyrenius Wait, |
| George Denny, Thornton F. Marshall, | E. Dudley Walker, |
| John F. Fisk, William H. McBrayer, | W. C. Whitaker—33. |

In the negative—none.

And so said resolution was concurred in.

The question was then taken on the adoption of the second resolution, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Alexander and Cissell, were as follows, viz:

Those who voted in the affirmative, were—

| | |
|--------------------------------------|----------------------|
| Mr. Speaker, (Porter,) J. E. Gibson, | Chas. D. Pennebaker, |
| T. T. Alexander, William C. Gillis, | John A. Prall, |
| William T. Anthony, Robert E. Glenn, | William B. Read, |
| Landaff W. Andrews, Asa P. Grover, | Albert G. Rhea, |
| James R. Barrick, Thomas S. Grundy, | L. H. Rousseau, |
| John B. Bruner, Samuel Haycraft, | Henry M. Rust, |
| Benjamin P. Cissell, John L. Irvan, | James Simpson, |

A. D. Cosby,
Alex. L. Davidson,
George Denny,
John F. Fisk,

Samuel H. Jenkins, Harrison Taylor,
John M. Johnson, Cyrenius Wait,
Thornton F. Marshall, E. Dudley Walker,
William H. McBrayer, W. C. Whitaker—33.

In the negative—none.

And so said resolution was concurred in.

The question was then taken on the adoption of the third resolution, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Alexander and Cissell, were as follows, viz :

Those who voted in the affirmative, were—

| | | |
|--|---|---|
| Mr. Speaker, (Porter,) T. T. Alexander, William T. Anthony, Landaff W. Andrews, James R. Barrick, John B. Bruner, Benjamin P. Cissell, A. D. Cosby, Alex. L. Davidson, George Denny, John F. Fisk, | J. E. Gibson, William C. Gillis, Robert E. Glenn, Asa P. Grover, Thomas S. Grundy, Samuel Haycraft, John L. Irvan, Samuel H. Jenkins, John M. Johnson, Thornton F. Marshall, William H. McBrayer, | Chas. D. Pennebaker, John A. Prall, William B. Read, Albert G. Rhea, L. H. Rousseau, Henry M. Rust, James Simpson, Harrison Taylor, Cyrenius Wait, E. Dudley Walker, W. C. Whitaker—33. |
|--|---|---|

In the negative—none.

And so said resolution was concurred in.

The question was then taken on concurring in the fourth resolution, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Alexander and Cissell, were as follows, viz :

Those who voted in the affirmative, were—

| | | |
|--|--|---|
| T. T. Alexander, Landaff W. Andrews, James R. Barrick, A. D. Cosby, George Denny, John F. Fisk, William C. Gillis, | Samuel Haycraft, Samuel H. Jenkins, John M. Johnson, Thornton F. Marshall, Chas. D. Pennebaker, William B. Read, | Albert G. Rhea, L. H. Rousseau, James Simpson, Harrison Taylor, Cyrenius Wait, W. C. Whitaker—19. |
|--|--|---|

Those who voted in the negative, were—

| | | |
|--|---|--|
| Mr. Speaker, (Porter), J. E. Gibson, William T. Anthony, Benjamin P. Cissell, Alex. L. Davidson, | Robert E. Glenn, Asa P. Grover, Thomas S. Grundy, | John L. Irvan, William H. McBrayer, C. D. Pennebaker, E. Dudley Walker—12. |
|--|---|--|

And so said resolution was concurred in.

Under a suspension of the rules, leave to bring in a bill for the following purposes was granted :

On motion of Mr. Anthony—

A bill repealing the law authorizing the supervision of the books of tax assessors.

Ordered, That the Committee on Revised Statutes prepare and bring in said bill.

Mr. Gillis, from the Committee on Enrollments, reported that they had examined sundry enrolled bills originating in the House of Representatives, of the following titles, and that the same were correctly enrolled :

An act making the certificate of the Auditor of Public Accounts evidence in certain cases.

An act to authorize the Boone county court to sell and convey the poor-house lands, and for other purposes.

An act conferring certain powers on the Union county court.

An act amending an act incorporating the city of Columbus.

An act to authorize the sale and conveyance of the poor-house and poor-house lands in Henry county.

An act changing the time of holding the Bullitt circuit court.

An act to amend the charter of Bourbon Lodge, No. 23, I. O. O. F.

An act amending acts incorporating the town of Moscow, in Hickman county.

An act for the benefit of John Cummins, late sheriff of Rockcastle county.

An act authorizing the erection of a toll-gate on the Pleasant Hill and Jessamine County turnpike road.

An act to amend the charter of the Level Green and Sugar Creek turnpike road company.

An act to change the voting place in district No. 9, in Hardin county.

Also a Senate bill of the following title, viz :

An act to authorize the sale of the Falmouth bridge, in Pendleton county.

Whereupon the Speaker affixed his signature to said bills, and they were handed to the Committee on Enrollments to be by them presented to the Governor for his approval and signature.

Under a suspension of the rules, Mr. Simpson read and laid on the table the following joint resolution :

Resolved by the General Assembly of the Commonwealth of Kentucky,
That this General Assembly will adjourn on the 11th day of the
present month, at 12 o'clock, M., to meet again at this place on the
— day of — next.

Mr. Pennebaker moved that the Senate do now adjourn.

And the question being taken on said motion, it was decided in the affirmative.

The yeas and nays being demanded thereon by Messrs. Rust and Walker, were as follows, viz :

Those who voted in the affirmative, were—

| | | |
|----------------------|-----------------------|--------------------|
| Landaff W. Andrews, | Thomas S. Grundy, | John A. Prall, |
| Benjamin P. Cissell, | John L. Irvan, | L. H. Rousseau, |
| A. D. Cosby, | Samuel H. Jenkins, | James Simpson, |
| Alex. L. Davidson, | Thornton F. Marshall, | Cyrenius Wait, |
| George Denny, | Wm. H. McBrayer, | W. C. Whitaker—17. |
| J. E. Gibson, | C. D. Pennebaker, | |

Those who voted in the negative, were—

| | | |
|------------------------|------------------|----------------------|
| Mr. Speaker, (Porter), | John B. Bruner, | William B. Read, |
| T. T. Alexander, | John F. Fisk, | Albert G. Rhea. |
| William T. Anthony, | Robert E. Glenn, | Henry M. Rust, |
| James R. Barrick, | Asa P. Grover, | Harrison Taylor, |
| Samuel H. Boles, | John M. Johnson, | E. Dudley Walker—15. |

And then the Senate adjourned.

THURSDAY, FEBRUARY 7, 1861.

1. Mr. Gillis presented the petition of James D. Ballard, praying the passage of an act for his benefit.
2. Mr. Gillis presented the petition of sundry citizens of the counties of Laurel, Rockcastle, and Madison, praying the passage of an act for the benefit of James D. Ballard.
3. Mr. Speaker (T. P. Porter) presented the petition of sundry citizens of Midway precinct, in Woodford county, praying the call of a convention.
4. Mr. Grover presented the petition of sundry citizens of Pendleton county, praying the call of a convention.

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5. Mr. Grover presented the petition of sundry citizens of Pendleton county, praying the call of a convention.

6. Mr. Grover presented the petition of sundry citizens of Pendleton county, praying the call of a convention.

7. Mr. Grover presented the petition of sundry citizens of Pendleton county, praying the call of a convention.

Which were received, the reading dispensed with, and referred—the 1st and 2d to the Committee on Propositions and Grievances; the 3d, 4th, 5th, 6th, and 7th to the Committee on Federal Relations.

A message was received from the House of Representatives, announcing that they had passed bills originating in the Senate, of the following titles, viz:

An act to incorporate the LaGrange Female Academy.

An act to amend an act, entitled "An act to amend the charter of the city of Louisville, for school purposes," approved February 28, 1860.

And a bill of the Senate of the following title, with an amendment:

An act to amend the charters of the banks of Kentucky.

And that they had passed bills of the following titles, viz:

1. An act to incorporate the Bowling-Green Gas Company.

2. An act to incorporate the Bowling-Green Water-Works Company.

3. An act to change the time of holding the several courts in the county of Union.

4. An act to extend the limits of the town of Bloomfield.

5. An act to amend the charter of the town of New Haven, in Nelson county.

6. An act for the benefit of H. B. Bohannon and Francis M. Potts.

7. An act for the benefit of M. E. Petty, of Mercer county.

8. An act to authorize stockholders in turnpike roads in which the State holds stocks to vote by proxy.

9. An act to incorporate the Frankfort Cornet and String band.

10. An act to incorporate Harmony Lodge, No. 302, of Free and Accepted Masons.

11. An act to authorize the re-indexing of certain deed books by the Graves county court.

12. An act for the benefit of certain turnpike road companies in Harrison county.

Said bills were read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bills having been dispensed with,

Ordered, That the 3d be laid on the table; that the 6th, 7th, and 11th be referred to the Committee on the Revised Statutes; and the 8th to the Committee on Internal Improvement; and that the 1st, 2d, 4th, 5th, 9th, 10th, and 12th be read a third time.

The rule of the Senate, constitutional provision, and third reading of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported:

By Mr. Cissell, from the Committee on the Judiciary—

A bill to authorize circuit and equity courts to have entered of record certain orders for the sale of the estate of infants and married women in certain cases.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bill having been dispensed with,

Mr. Taylor moved an amendment to said bill, which was adopted.

Ordered, That the further consideration of said bill be postponed until to-morrow, at 11½ o'clock A. M., and that the Public Printer forthwith print 150 copies of the same for the use of the members of the General Assembly.

By same—

A bill to amend the charter of the Masonic Publication Association.

A bill to amend an act to incorporate the Union Insurance Company of Hopkinsville.

Which were read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bills having been dispensed with,

Ordered, That the first bill be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with, and the same having been engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

And the question being taken on ordering the second bill to be engrossed and read a third time, it was decided in the negative.

And so said bill was rejected.

By same—

Bills from the House of Representatives of the following titles, viz:

1. An act for the benefit of W. A. L. B. Sharp, late sheriff of Estill county.

With an amendment, which was adopted.

2. An act to authorize the marshal of Owensboro to appoint a deputy.

3. An act for the benefit of Charles W. and Sarah E. Castleman.

Ordered, That said bills be read a third time.

The rule of the Senate, constitutional provision, and third reading of said bills having been dispensed with,

Resolved, That the first and second do pass, and that the titles thereof be as aforesaid, and that the third be rejected.

By Mr. Gillis, from the Committee on the Court of Appeals—

A bill allowing an increased fee to surveyors.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bill having been dispensed with,

Ordered, That said bill be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with, and the same having been engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

By Mr. Jenkins, from the Committee on Circuit Courts—

A bill to establish an equity and criminal court in the county of Ballard.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bill having been dispensed with,

Mr. Alexander offered the following amendment:

Provided, That this act continue in force for one hundred years.

The yeas and nays being required thereon by Messrs. Andrews and Rust, were as follows, viz:

Those who voted in the affirmative, were—

T. T. Alexander, James R. Barrick, Samuel H. Boles—3.

Those who voted in the negative, were—

| | |
|---|--------------------|
| Mr. Speaker, (Porter,) William C. Gillis, | John A. Prall |
| William T. Anthony, Robert E. Glenn, | William B. Read, |
| Landaff W. Andrews, Asa P. Grover, | Albert G. Rhea, |
| John B. Bruner, Thomas S. Grundy, | L. H. Rousseau, |
| Benjamin P. Cissell, Samuel Haycraft, | Henry M. Rust, |
| A. D. Cosby, John L. Irvin, | James Simpson, |
| Alex. L. Davidson, Samuel H. Jenkins, | Harrison Taylor, |
| Samuel E. DeHaven, Thornton F. Marshall, | Cyrenius Wait, |
| George Denny, William H. McBrayer, | E. Dudley Walker, |
| John F. Fisk, Chas. D. Pennebaker, | W. C. Whitaker—31. |
| J. E. Gibson, | |

And so said amendment was rejected.

Ordered, That said bill be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

By Mr. Alexander, from the Committee on County Courts, to whom had been referred bills from the House of Representatives, of the following titles, viz:

An act to change the time of holding the quarterly court in Jackson county, and to legalize proceedings of said court.

An act for the benefit of Wilson Brown, of Rockcastle county.

Ordered, That said bills be read a third time.

The rule of the Senate, constitutional provision, and third reading of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

By same—

A bill appointing commissioners to run and mark the boundary line of Wolfe county.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bill having been dispensed with,

Ordered, That said bill be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the Governor, by the hands of Hon. Thomas B. Monroe, jr., Secretary of State, announcing that he had approved and signed bills originating in the Senate of the following titles, viz:

An act for the benefit of John P. McLaughlin.

An act regulating the jurisdiction of the special chancery courts in Washington and Marion counties.

An act to incorporate the United Irish Association of Maysville.

An act for the benefit of the Taylorsville and Mount Eden turnpike road company.

An act to amend the charter of the Covington and Cincinnati Bridge Company.

An act in relation to the Louisville and Frankfort railroad company.

An act to establish an additional voting place in the third magistrates' district, in Ballard county.

An act for the benefit of the estate of R. C. Rice, deceased.

An act concerning the Jefferson circuit court.

An act to amend the charter of the Masonic Temple Company, of Louisville.

An act for the benefit of the attorney of Danville.

An act to incorporate the Lodge of Free and Accepted Masons, of Muhlenburg county.

An act for the benefit of school district No. 17, in Whitley county.

An act to change the time of holding the Calloway and Marshall circuit courts.

An act to amend the charter of Elizabethtown.

An act relating to the Flatwood's precinct, in Owsley county.

An act for the benefit of Samuel Kitchen.

An act for the benefit of school district No. 37, in the county of Bath.

An act to amend the charter of the Winchester and Mount Sterling turnpike road company.

An act to incorporate the Burksville Male and Female Academy.

An act to amend the charter of the town of Owingsville.

An act for the benefit of the Bath county court.

An act to incorporate the Glennville Stock Association.

An act to incorporate the town of Gratz, in Owen county.

An act to incorporate the Silver Creek and White's Mill turnpike road company,

An act authorizing the election of a police judge and marshal for Hazelgreen.

An act to authorize the sale of the Falmouth bridge, in Pendleton county.

A message in writing was received from the Governor, by the hands of Mr. Tate, Assistant Secretary of State, as follows, viz:

EXECUTIVE OFFICE,
February 7, 1861.

Gentlemen of the Senate:

I nominate, for your advice and consent, the following persons to be Notaries Public in the counties named, viz:

James D. White, for Ballard county.

Charles Wickliffe, for Ballard county.

A. Boyd, for McCracken county.

J. Davidson, for Greenup county.

B. MAGOFFIN.

The Senate, according to special order, took up for consideration a bill from the House of Representatives, of the following title, viz:

An act to appropriate money to the Eastern and Western Lunatic Asylums.

Mr. Grover offered the following amendment, viz:

Strike out all after the word "1st," in the 5th line of section 1st, and insert—

In paying for the real estate bought by the Commissioners of said Asylum since the conflagration, for the use of the inmates, the sum of \$——; the Commissioners to file in the office of the Secretary of State the deed to said real estate property, authenticated, passing the legal title to the Commonwealth.

2d. In rebuilding the walls of said Asylum, \$——.

3d. To put the same under a metal or slate roof, \$——; and any balance of said appropriation to be applied in preparing said institution for the reception of patients: *Provided*, Said sum of \$20,000 be drawn in sums of \$4,000 every thirty days, as the work progresses.

Mr. Anthony moved to postpone the further consideration of the bill until to-morrow, at 12, M.

Mr. Fisk offered the following substitute, viz:

Resolved, That a committee of three be appointed by the Speaker, who shall be empowered to visit, during the recess, Bowling-Green, Hopkinsville, and other points in that part of the State, and report to this Legislature, on the twentieth day of March next, the best place where a Lunatic Asylum can be erected, and upon what terms; and

also the condition of the public property at Hopkinsville; said committee not to be from the regions interested; and that the further consideration of this subject be postponed until the report of said committee is received.

Mr. Gibson offered the following amendment, viz:

To include the White Sulphur Springs, in Estill county, Ky.

Which was adopted.

The question was then taken on the substitute offered by Mr. Fisk, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Rust and Walker, were as follows, viz:

Those who voted in the affirmative, were—

| | |
|--------------------------------------|----------------------|
| Mr. Speaker, (Porter,) John F. Fisk, | Chas. D. Pennebaker, |
| William T. Anthony, J. E. Gibson, | Albert G. Rhea, |
| James R. Barrick, William C. Gillis, | W. C. Whitaker—11. |
| George Denny, Asa P. Grover, | |

Those who voted in the negative, were—

| | |
|--------------------------------------|-----------------------|
| T. T. Alexander, Samuel E. DeHaven, | Thornton F. Marshall, |
| Landaff W. Andrews, Robert E. Glenn, | William H. McBrayer, |
| Samuel H. Boles, Thomas S. Grundy, | Henry M. Rust, |
| John B. Bruner, Samuel Haycraft, | James Simpson, |
| Benjamin P. Cissell, John L. Irvan, | Harrison Taylor, |
| A. D. Cosby, Samuel H. Jenkins, | Cyrenius Wait, |
| Alex. L. Davidson, John M. Johnson, | E. Dudley Walker—21. |

The yeas and nays were then required on the amendment offered by Mr. Grover, by Messrs. Grover and Glenn, and were as follows, viz:

Those who voted in the affirmative, were—

| | |
|--|-------------------|
| William T. Anthony, Samuel Haycraft, | Albert G. Rhea, |
| James R. Barrick, Chas. D. Pennebaker, | L. H. Rousseau—7. |
| Asa P. Grover, | |

Those who voted in the negative, were—

| | |
|--|-----------------------|
| Mr. Speaker, (Porter,) John F. Fisk, | Thornton F. Marshall, |
| T. T. Alexander, J. E. Gibson, | William H. McBrayer, |
| Landaff W. Andrews, William C. Gillis, | Henry M. Rust, |
| Samuel H. Boles, Robert E. Glenn, | James Simpson, |
| John B. Bruner, Thomas S. Grundy, | Harrison Taylor, |
| Benjamin P. Cissell, John L. Irvan, | Cyrenius Wait, |
| A. D. Cosby, Samuel H. Jenkins, | E. Dudley Walker, |
| Alex. L. Davidson, John M. Johnson, | W. C. Whitaker—25. |
| Samuel E. DeHaven, | |

The question was then taken on the motion of Mr. Anthony, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Cissell and Alexander, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|--|---|
| Mr. Speaker, (Porter,) William T. Anthony, James R. Barrick, George Denny, John F. Fisk, | J. E. Gibson, Asa P. Grover, Thomas S. Grundy, Samuel H. Jenkins, | Chas. D. Pennebaker, Albert G. Rhea, Cyrenius Wait, W. C. Whitaker—13. |
|---|--|---|

Those who voted in the negative, were—

| | | |
|---|--|---|
| T. T. Alexander, Landaff W. Andrews, Samuel H. Boles, John B. Bruner, Benjamin P. Cissell, A. D. Cosby, Alex. L. Davidson, | Samuel E. DeHaven, William C. Gillis, Robert E. Glenn, Samuel Haycraft, John L. Irvan, John M. Johnson, | Thornton F. Marshall, William H. McBrayer, Henry M. Rust, James Simpson, Harrison Taylor, E. Dudley Walker—19. |
|---|--|---|

Mr. Johnson offered the following amendment, viz:

Strike out all after "appropriated," in the 5th line, and insert, "purchase a site and commence the construction of the Western Lunatic Asylum, at or near Paducah."

Said amendment was rejected.

Mr. Whitaker offered the following amendment, viz:

Amend by striking out all after the enacting clause, in the 1st and 2d sections, and insert, "that three commissioners be appointed by the Governor, who shall examine the sites offered at Bowling-Green, Paducah, Hopkinsville, White Sulphur, in Estill, Russellville, and Louisville, or any other place deemed eligible south of Green river, and report to the Legislature, when it meets again, the most eligible and convenient location for said Lunatic Asylum; and also report the advantages and the probable cost it will take to build said Asylum on the different sites visited and examined by them.

"This act to take effect from its passage."

And the question being taken on said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Cissell and Walker, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|--|---|
| Mr. Speaker, (Porter,) William T. Anthony, James R. Barrick, George Denny, | John F. Fisk, J. E. Gibson, Asa P. Grover, John M. Johnson, | Chas. D. Pennebaker, William B. Read, Albert G. Rhea, W. C. Whitaker—12. |
|---|--|---|

Those who voted in the negative, were—

| | | |
|---|--|--|
| T. T. Alexander, Landaff W. Andrews, | William C. Gillis, Robert E. Glenn, | William H. McBrayer, John A. Prall, |
|---|--|--|

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|----------------------|-----------------------|----------------------|
| Samuel H. Boles, | Thomas S. Grundy, | Henry M. Rust, |
| John B. Bruner, | Samuel Haycraft, | James Simpson, |
| Benjamin P. Cissell, | John L. Irvan, | Harrison Taylor, |
| A. D. Cosby, | Samuel H. Jenkins, | Cyrenius Wait, |
| Alex. L. Davidson, | Thornton F. Marshall, | E. Dudley Walker—22. |
| Samuel E. DeHaven, | | |

And so said amendment was rejected.

Mr. Pennebaker moved to amend said bill by striking out all after the enacting clause, and insert,

Be it further enacted, That the seat of Government be removed to the city of Louisville, and the State House and public buildings in Frankfort be dedicated to the use of said Asylum: *Provided*, The city of Louisville will provide a State House free of charge to the State.

Said amendment was rejected.

Mr. Haycraft moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

Ordered, That said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|------------------------|-----------------------|----------------------|
| Mr. Speaker, (Porter.) | John F. Fisk, | William H. McBrayer, |
| T. T. Alexander, | J. E. Gibson, | C. D. Pennebaker, |
| Landaff W. Andrews, | William C. Gillis, | John A. Prall, |
| James R. Barrick, | Robert E. Glenn, | William B. Read, |
| Samuel H. Boles, | Thomas S. Grundy, | Henry M. Rust, |
| John B. Bruner, | Samuel Haycraft, | James Simpson, |
| Benjamin P. Cissell, | John L. Irvan, | Harrison Taylor, |
| A. D. Cosby, | Samuel H. Jenkins, | Cyrenius Wait, |
| Alex. L. Davidson, | John M. Johnson, | E. Dudley Walker—29. |
| Samuel E. DeHaven, | Thornton F. Marshall, | |

Those who voted in the negative, were—

| | | |
|---------------------|-----------------|-------------------|
| William T. Anthony, | Asa P. Grover, | W. C. Whitaker—5. |
| George Denny, | Albert G. Rhea, | |

Under a suspension of the rules of the Senate, Mr. Andrews offered the following resolution, viz:

Resolved by the Senate, That when it adjourns at one and a half o'clock this day, it adjourn to meet again at three o'clock, to proceed with the business before the Senate.

Which was adopted.

The Senate then, under a suspension of the rules, took up for consideration the joint resolution read and laid on the table on yesterday by Mr. Simpson, fixing a time for adjournment.

Mr. Andrews offered the following amendment, viz:

Amend by inserting the 20th of April.

Mr. Read offered the following amendment:

Fill up the blank by inserting the 20th of March, 1861.

The yeas and nays being demanded on Mr. Andrews' amendment by Messrs. Rust and Grover, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---------------------|----------------------|---------------------|
| Landaff W. Andrews, | Chas. D. Pennebaker, | Harrison Taylor, |
| John B. Bruner, | Albert G. Rhea, | E. Dudley Walker—8. |
| Samuel E. DeHaven, | James Simpson, | |

Those who voted in the negative, were—

| | |
|--|-----------------------|
| Mr. Speaker, (Porter,) John F. Fisk, | John M. Johnson, |
| T. T. Alexander, J. E. Gibson, | Thornton F. Marshall, |
| William T. Anthony, William C. Gillis, | William H. McBrayer, |
| James R. Barrick, Robert E. Glenn, | John A. Prall, |
| Samuel H. Boles, Asa P. Grover, | William B. Read, |
| Benjamin P. Cissell, Thomas S. Grundy, | L. H. Rousseau, |
| A. D. Cosby, Samuel Haycraft, | Henry M. Rust, |
| Alex. L. Davidson, John L. Irvan, | Cyrenius Wait, |
| George Denny. Samuel H. Jenkins, | W. C. Whitaker—27. |

And so said amendment was rejected.

The yeas and nays being demanded by Messrs. Andrews and Marshall on the amendment proposed by Mr. Read, were as follows, viz:

Those who voted in the affirmative, were—

| | |
|--------------------------------------|--------------------|
| T. T. Alexander, John F. Fisk, | John A. Prall, |
| Landaff W. Andrews, J. E. Gibson, | William B. Read, |
| James R. Barrick, William C. Gillis, | L. H. Rousseau, |
| Samuel H. Boles, Samuel Haycraft, | James Simpson, |
| John B. Bruner, Samuel H. Jenkins, | Harrison Taylor, |
| A. D. Cosby, Thornton F. Marshall, | Cyrenius Wait, |
| George Denny, Chas. D. Pennebaker, | W. C. Whitaker—21. |

Those who voted in the negative, were—

| | |
|---|----------------------|
| Mr. Speaker, (Porter,) Robert E. Glenn, | William H. McBrayer, |
| William T. Anthony, Asa P. Grover, | Albert G. Rhea, . |
| Benjamin P. Cissell, Thomas S. Grundy, | Henry M. Rust, |
| Alex. L. Davidson, John L. Irvan, | E. Dudley Walker—14. |
| Samuel E. DeHaven, John M. Johnson, | |

The question was then taken on the adoption of said resolution, as amended, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Grover and Denny, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---------------------|-----------------------|--------------------|
| Landaff W. Andrews, | J. E. Gibson, | John A. Prall, |
| James R. Barrick, | William C. Gillis, | William B. Read, |
| John B. Bruner, | Samuel Haycraft, | L. H. Rousseau, |
| A. D. Cosby, | Samuel H. Jenkins, | James Simpson, |
| George Denny, | Thornton F. Marshall, | Harrison Taylor, |
| John F. Fisk, | C. D. Pennebaker, | W. C. Whitaker—18. |

Those who voted in the negative, were—

| | | |
|---|-------------------------------------|--------------------------------------|
| Mr. Speaker, (Porter,) T. T. Alexander, | Samuel E. DeHaven, Robert E. Glenn, | William H. McBrayer, Albert G. Rhea, |
| Wm. T. Anthony, | Asa P. Grover, | Henry M. Rust, |
| Samuel H. Boles, | John L. Irvan, | Cyrenius Wait, |
| Benjamin P. Cissell, | John M. Johnson, | E. Dudley Walker—16. |
| Alex. L. Davidson, | | |

And so said resolution was adopted.

Messrs. Glenn and Jenkins moved to reconsider the vote by which the Senate rejected a bill of the following title, viz:

A bill entitled "An act to amend the law limiting the time of commencing certain actions."

And the question being taken on reconsidering the vote by which the Senate rejected said bill, it was decided in the affirmative.

And the further consideration of said bill was postponed until tomorrow, at 10½ o'clock, A. M.

Mr. Whitaker, under a suspension of the rules, from the Committee on Circuit Courts, reported a bill of the following title:

A bill changing the time of holding the Oldham circuit court.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the House of Representatives, announcing that they had passed a bill of the following title, viz:

An act for the appropriation of money.

And that they had concurred in a resolution of the Senate fixing a day for adjournment.

Under a suspension of the rules, the Senate took up a bill of the House of Representatives, of the following title, viz:

An act for the appropriation of money.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bill having been dispensed with,

Ordered, That said bill be referred to the Committee on Finance, with instructions to report the same to the Senate to-morrow morning, at 11 o'clock.

On motion of Mr. Jenkins—

Ordered, That the further consideration of a bill, entitled "A bill allowing Ellis, Cocke, and others, further time to establish a ferry at Cairo," be postponed until March 21st.

Mr. Gillis, from the Committee on Enrollments, reported that they had examined sundry enrolled bills originating in the House of Representatives, of the following titles:

An act to authorize the Board of Trustees of Warsaw to appoint a marshal.

An act to incorporate Moreland Lodge, No. 124, I. O. O. F.

An act to prohibit the destruction of fish in the North Fork of Red river, in Logan county.

An act authorizing a change of voting place in district No. 3, in Clarke county.

An act for the benefit of school district No. 54, in Allen county.

An act to repeal an act, entitled "An act to authorize the citizens of the town of Warsaw to elect a police judge and marshal."

An act to change election district No. 5, in Montgomery county.

Also a Senate bill of the following title, viz:

An act to amend an act, entitled "An act to amend the charter of the city of Louisville for school purposes," approved February 28, 1860.

And that the same were correctly enrolled.

Whereupon the Speaker affixed his signature to said bills, and they were returned to the committee to be by them presented to the Governor for his approval and signature.

Mr. Fisk offered the following resolution:

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Resolved, That the Senate do now adjourn, to meet again at 7 o'clock to-night.

Mr. Andrews moved to lay said resolution on the table.

And the question being taken on said motion, it was decided in the affirmative.

The yeas and nays being demanded on said motion by Messrs. Fisk and Alexander, were as follows, viz:

Those who voted in the affirmative, were—

| | |
|---|----------------------|
| Mr. Speaker, (Porter,) Samuel Haycraft, | Chas. D. Pennebaker, |
| Landaff W. Andrews, John L. Irvin, | Henry M. Rust, |
| John B. Bruner, Samuel H. Jenkins, | James Simpson, |
| A D. Cosby, Thornton F. Marshall, | Cyrenius Wait, |
| Samuel E. DeHaven, William H. McBrayer, | W. C. Whitaker—16. |
| J. E. Gibson, | |

Those who voted in the negative, were—

| | |
|--------------------------------------|----------------------|
| T. T. Alexander, William C. Gillis, | William B. Read, |
| William T. Anthony, Robert E. Glenn, | Albert G. Rhea, |
| James R. Barrick, Asa P. Grover, | Harrison Taylor, |
| Samuel H. Boles, John M. Johnson, | E. Dudley Walker—14. |
| John F. Fisk, John A. Prall | |

And then the Senate, on motion of Mr. Pennebaker, adjourned.

FRIDAY, FEBRUARY 8, 1861.

On motion of Mr. Andrews—

Ordered, That the nominations made on yesterday by the Governor of Notaries Public, be, and the same are hereby, advised and consented to by the Senate.

Mr. Jenkins presented the petition of sundry citizens of Ballard, McCracken, and Graves counties, praying the passage of a law suspending the collection of debts for the space of twelve months.

Which was received, the reading dispensed with, and referred to the Committee on Finance.

Bills of the following titles were reported :

By Mr. Alexander, from the Committee on County Courts—

A bill to amend an act approved February 11, 1860, in relation to school district No. 1, in Rockcastle county.

By Mr. Grundy, from the Committee on Propositions and Grievances—

A bill for the benefit of William J. Shout.

By Mr. Irvan, from a select committee—

A bill regulating the time of holding the circuit courts in Calloway and Marshall counties.

By Mr. Grundy, from the Committee on Propositions and Grievances—

A bill for the benefit of James M. Nesbit.

By Mr. Grover, from same committee—

A bill to establish an additional magistrates' and election precinct in Daviess county.

Which were read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bills having been dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives of the following titles, were reported from the different committees to whom they had been referred.

By Mr. Alexander, from the Committee on County Courts—

1. An act for the benefit of Fulton county.

2. An act to establish and incorporate the town of Hardyville.

With an amendment to the second bill,

Which was adopted.

By Mr. Grundy, from the Committee on Propositions and Grievances—

3. An act to establish an additional voting precinct in Larue county.

Ordered, That said bills be read a third time.

The rule of the Senate, constitutional provision, and third reading of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The Senate then, according to special order, took up for consideration a bill of the following title, viz :

A bill to amend the law limiting the time of commencing certain actions.

Mr. Gibson moved the previous question, and the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Alexander and Fisk, were as follows, viz :

Those who voted in the affirmative, were—

| | | |
|---------------------|-----------------------|----------------------|
| Landaff W. Andrews, | J. E. Gibson, | John A. Prall, |
| James R. Barrick, | William C. Gillis, | William B. Read, |
| Samuel H. Boles, | Asa P. Grover, | Henry M. Rust, |
| George Denny, | Samuel Haycraft, | James Simpson, |
| John F. Fisk, | Thornton F. Marshall, | E. Dudley Walker—16. |

Those who voted in the negative, were—

| | | |
|------------------------|----------------------|----------------------|
| Mr. Speaker, (Porter.) | Samuel E. DeHaven, | Chas. D. Pennebaker, |
| T. T. Alexander, | Thomas S. Grundy, | Albert G. Rhea, |
| William T. Anthony, | John L. Irvin, | Harrison Taylor, |
| John B. Bruner, | John M. Johnson, | Cyrenius Wait, |
| Benjamin P. Cissell, | William H. McBrayer, | W. C. Whitaker—15. |
| A. D. Cosby, | | |

And so said bill was rejected.

A message was received from the House of Representatives, announcing that they had passed a bill originating in the Senate, of the following title, viz :

An act changing the time of holding the circuit courts in Calloway and Marshall counties.

And that they had passed bills of the following titles, viz :

An act to amend the penal laws in relation to certain duties of county court clerks.

An act for the benefit of Pleasant Conway, of Caldwell county.

An act to increase the revenue by imposing a tax on the business of express companies, railroads, and steamboats.

An act for the benefit of the Bank of Louisville, and other banks.

And that they had received official information from the Governor that he had approved and signed sundry enrolled bills originating in that House, of the following titles:

An act to authorize persons to make tunnels in the county of Whitley.

An act authorizing the Marshall county court to change State road.

An act to amend the charter of the Helena turnpike road, in Mason county.

An act to change the time of holding the Livingston quarterly court.

An act for the benefit of school district No. 13, in Livingston county.

An act supplemental to an act to amend an act concerning free negroes, mulattoes, and emancipation, passed January 23, 1861.

An act to amend the laws in relation to the Cumberland Gap road, in Knox county.

An act to amend the charter of the town of Canton, Trigg county.

An act for the benefit of J. W. Hutcherson, of Elkton, Todd county.

An act to exempt certain citizens of Spencer county from working roads.

An act in reference to magistrates' district No. 3, in Mercer county.

An act regulating the election of State officers in the county of Webster.

An act to enlarge the limits of the town of Pleasureville, in Henry county.

An act to change the name of the Eminence High School, in Henry county.

An act to permit the trustees of the town of Greenville to change a street in said town.

An act to authorize the Calloway county court to change State road.

An act to legalize certain proceedings of the Harrison county court, and for other purposes.

An act to amend the charter of the Knob Lick turnpike road company.

An act applying the general mechanics' lien law to Boyd, Montgomery, and Webster counties.

An act authorizing the Marshall county court to establish a road from Haydock's ferry to Paducah.

An act for the benefit of John C. Gibson, lessee of the Warsaw turnpike road.

An act repealing an act in relation to the town of Greenupsburg.

An act for the benefit of John M. Todd and W. R. Campbell.

An act to incorporate the Old School Presbyterian Church of Glasgow.

An act to repeal an act concerning judicial sales in the county of Jefferson.

An act to incorporate the town of Dixon, in Webster county.

An act for the benefit of the police judge and town marshal of New Liberty, Owen county.

An act to amend the charter of the Harmony and Fork turnpike road company.

An act for the benefit of R. H. Perry, of Kenton county.

An act to change the time of holding quarterly courts in Lyon county.

An act for the benefit of H. W. McNary.

An act to repeal an act incorporating the Lewisport Pond Draining Company.

An act to revive and amend the act to incorporate the town of Florence, in Boone county.

An act authorizing the Henderson county court to levy a tax to build a jail.

An act for the benefit of George W. Darlington, late sheriff of Greenup county.

An act to change the name of the Henderson Female Institute.

An act to incorporate the Bullitt County Manufacturing Company.

An act to amend the laws regulating tolls at the toll-gates in Rockcastle county.

An act to incorporate the Hopkinsville Gymnastic Club.

An act to amend an act, entitled "An act to charter the Pulaski turnpike road company."

An act to repeal an act, entitled "An act for the benefit of Rudolph Black, of Bracken county," approved February 22, 1860.

An act to change the boundary of Halley's precinct, in Breathitt county.

An act for the benefit of the town of Midway.

An act to amend an act incorporating the town of Brownsville, in Edmonson county, approved February 15, 1860.

An act for the benefit of A. A. Nelson.

An act for the benefit of Garrard county.

An act for the benefit of Wm. Southerland, of Nelson county.

An act to authorize the sale and conveyance of the poor-house and poor-house lands in Henry county.

An act for the benefit of John Cummins, late sheriff of Rockcastle county.

An act authorizing the erection of a toll-gate on the Pleasant Hill and Jessamine County turnpike road.

An act changing the time of holding the Bullitt circuit court.

An act amending an act incorporating the city of Columbus.

An act conferring certain powers on the Union county court.

An act to authorize the Boone county court to sell and convey their poor-house lands, and for other purposes.

An act amending acts incorporating the town of Moscow, in Hickman county.

An act to change the voting place in district No. 9, in Hardin county.

An act making the certificate of the Auditor of Public Accounts evidence in certain cases.

An act to amend the charter of the Level Green and Sugar Creek turnpike road company.

The Senate then, according to special order, took up for consideration a bill of the following title, viz:

An act to amend the charters of the banks of Kentucky.

The question being taken, "Shall the Senate concur in the amendments proposed by the House?"

Mr. Fisk proposed the following amendment to the second amendment of the House of Representatives:

Amend the 8th section by adding, "*Provided*, That this section shall be in force only two years from its passage."

The yeas and nays being required thereon by Messrs. Fisk and Rust, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|------------------------|----------------------|----------------------|
| Mr. Speaker, (Porter), | J. E. Gibson, | John A. Prall, |
| Benjamin P. Cissell, | Robert E. Glenn, | William B. Read, |
| Alex. L. Davidson, | Asa P. Grover, | Albert G. Rhea, |
| Samuel E. DeHaven, | Thomas S. Grundy, | Henry M. Rust, |
| George Denny, | John L. Irvan, | E. Dudley Walker—17. |
| John F. Fisk, | William H. McBrayer, | |

Those who voted in the negative, were—

| | | |
|---------------------|--------------------|----------------------|
| T. T. Alexander, | A. D. Cosby, | Chas. D. Pennebaker, |
| William T. Anthony, | William C. Gillis, | James Simpson, |
| Landaff W. Andrews, | Samuel Haycraft, | Harrison Taylor, |
| James R. Barrick, | Samuel H. Jenkins, | Cyrenius Wait, |
| Samuel H. Boles, | John M. Johnson, | W. C. Whitaker—16. |
| John B. Bruner, | | |

The question was then taken on concurring in said amendment, as amended, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Grover and Anthony, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|------------------------|--------------------|-------------------|
| Mr. Speaker, (Porter), | J. E. Gibson, | Wm. H. McBrayer, |
| Landaff W. Andrews, | Asa P. Grover, | C. D. Pennebaker, |
| Samuel H. Boles, | Thomas S. Grundy, | William B. Read, |
| A. D. Cosby, | Samuel Haycraft, | Henry M. Rust, |
| Alex. L. Davidson, | John L. Irvin, | James Simpson, |
| Samuel E. DeHaven, | Samuel H. Jenkins, | Harrison Taylor, |
| George Denny, | John M. Johnson, | Cyrenius Wait—22. |
| John F. Fisk, | | |

Those who voted in the negative, were—

| | | |
|---------------------|----------------------|--------------------|
| T. T. Alexander, | Benjamin P. Cissell, | Albert G. Rhea. |
| William T. Anthony, | William C. Gillis, | E. Dudley Walker, |
| James R. Barrick, | Robert E. Glenn, | W. C. Whitaker—11. |
| John B. Bruner, | John A. Prall, | |

And so said amendment was concurred in.

The question, "Will the Senate concur in the 1st amendment proposed by the House?" was then taken.

The yeas and nays being demanded thereon by Messrs. Rust and Walker, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---------------------|-----------------------|-------------------|
| Landaff W. Andrews, | Samuel H. Jenkins, | William B. Read, |
| Samuel H. Boles, | John M. Johnson, | James Simpson, |
| Alex. L. Davidson, | Thornton F. Marshall, | Harrison Taylor, |
| Samuel E. DeHaven, | Chas. D. Pennebaker, | Cyrenius Wait—12. |

Those who voted in the negative, were—

| | | |
|------------------------|--------------------|----------------------|
| Mr. Speaker, (Porter), | George Denny, | John L. Irvin, |
| T. T. Alexander, | John F. Fisk, | William H. McBrayer, |
| William T. Anthony, | J. E. Gibson, | John A. Prall, |
| James R. Barrick, | William C. Gillis, | Albert G. Rhea, |
| John B. Bruner, | Robert E. Glenn, | Henry M. Rust, |
| Benjamin P. Cissell, | Asa P. Grover, | E. Dudley Walker, |
| A. D. Cosby, | Thomas S. Grundy, | W. C. Whitaker—21. |

Under a suspension of the rules, Mr. Andrews offered the following resolution, viz:

Resolved, That when the Senate adjourns at half-past one o'clock to-day, it adjourn to meet again this evening, at 3 o'clock, for the transaction of business.

Which was adopted.

Mr. DeHaven, from the Committee on Finance, to whom had been referred a bill of the House of Representatives, of the following title, viz:

An act for the appropriation of money,
Reported the same with sundry amendments.

The question was then taken on the following amendment, viz:

Amend the 11th section by striking out "fifty," and insert, "one hundred."

And said amendment was adopted.

The question was then taken on the following amendment, viz:

Amend the bill by striking out the 28th section.

And said amendment was adopted.

The question was then taken on the following amendment, viz:

Amend the 29th section of the bill by striking out the word "clerks," and insert "clerk." Strike out the word "three" and insert "four."

And said amendment was adopted.

The question was then taken on the following amendment, viz:

§ —. To H. Overton, for bill of sundries, \$186 64.

And said amendment was adopted.

The question was then taken on the following amendment, viz:

To R. W. Blackburn, for bill of sundries, \$4 50.

And said amendment was adopted.

The question was then taken on the following amendment, viz:

§ 33. To W. D. Robertson, clerk of the Committee on Federal Relations of the Senate, \$25; and to same \$1 50, for blank book for use of committee.

And said amendment was adopted.

Mr. DeHaven offered the following amendment, viz:

The provisions of this bill, so far as appropriations are made for the payment of the Speakers, officers, and servants of the Senate and House of Representatives, shall not be construed so as to extend to the days included within the time now fixed for adjournment and the re-assembling of this Legislature on the 20th of March next.

Which was adopted.

Mr. Gillis offered the following amendment, viz:

After the words "pay the Public Printer," insert "and A. G. Hodges & Co."

Which was adopted.

Mr. Denny offered the following amendment, viz:

Amend the sixth section by striking out the word "six" and insert "four."

And the question being taken on said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Denny and Whitaker, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|--------------------|-------------------|-------------------|
| George Denny, | Albert G. Rhea, | W. C. Whitaker—5. |
| William C. Gillis, | E. Dudley Walker, | |

Those who voted in the negative, were—

| | |
|---|-----------------------|
| Mr. Speaker, (Porter,) Samuel E. DeHaven, | Thornton F. Marshall, |
| T. T. Alexander, John F. Fisk, | William H. McBrayer, |
| Landaff W. Andrews, J. E. Gibson, | C. D. Pennebaker, |
| James R. Barrick, Asa P. Grover, | William B. Read, |
| John B. Bruner, Thomas S. Grundy, | Henry M. Rust, |
| Benjamin P. Cissell, Samuel Haycraft, | Harrison Taylor, |
| A. D. Cosby, John L. Irvin, | Cyrenius Wait—23. |
| Alex. L. Davidson, John M. Johnson, | |

Mr. Grundy offered the following amendment, viz :

To M. B. Chinn, for services of negro man in waiting upon the Senate, \$1 00 per day during the session.

Which was adopted.

The yeas and nays being required thereon, by Messrs. Grundy and Walker, were as follows, viz :

Those who voted in the affirmative, were—

| | |
|--|----------------------|
| Mr. Speaker, (Porter,) John F. Fisk, | William H. McBrayer, |
| T. T. Alexander, J. E. Gibson, | Chas. D. Pennebaker, |
| William T. Anthony, William C. Gillis, | William B. Read, |
| Landaff W. Andrews, Thomas S. Grundy, | James Simpson, |
| James R. Barrick, Samuel Haycraft, | Harrison Taylor, |
| John B. Bruner, Samuel H. Jenkins, | Cyrenius Wait—20. |
| Alex. L. Davidson, Thornton F. Marshall, | |

Those who voted in the negative, were—

| | | |
|----------------------|----------------|-------------------|
| Benjamin P. Cissell, | George Denny. | E. Dudley Walker, |
| A. D. Cosby, | John L. Irvin, | W. C. Whitaker—8. |
| Samuel E. DeHaven, | Henry M. Rust, | |

And so said amendment was adopted.

Mr. Johnson offered the following amendment, viz:

To Lloyd Tilghman, \$50, for his expenses in coming to and remaining in Frankfort twelve days, in attendance on the Military Committee.

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

The yeas and nays being demanded thereon by Messrs. Alexander and Johnson, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---------------------|-----------------------|--------------------|
| Landaff W. Andrews, | John M. Johnson, | Henry M. Rust, |
| William C. Gillis, | Thornton F. Marshall, | James Simpson, |
| Thomas S. Grundy, | William H. McBrayer, | Cyrenius Wait, |
| Samuel Haycraft, | Chas. D. Pennebaker, | E. Dudley Walker, |
| John L. Irvan, | William B. Read, | W. C. Whitaker—17. |
| Samuel H. Jenkins, | Albert G. Rhea, | |

Those who voted in the negative, were—

| | | |
|---|----------------------|---------------------|
| Mr. Speaker, (Porter,) T. T. Alexander, | Benjamin P. Cissell, | George Denny, |
| William T. Anthony, | A. D. Cosby, | John F. Fisk, |
| James R. Barrick, | Alex. L. Davidson, | J. E. Gibson, |
| John B. Bruner, | Samuel E. DeHaven, | Harrison Taylor—13. |

Ordered, That said bill, as amended, be read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

| | | |
|---|-----------------------|----------------------|
| Mr. Speaker, (Porter,) T. T. Alexander, | J. E. Gibson, | William H. McBrayer, |
| William T. Anthony, | William C. Gillis, | Chas. D. Pennebaker, |
| Landaff W. Andrews, | Asa P. Grover, | William B. Read, |
| James R. Barrick, | Thomas S. Grundy, | Albert G. Rhea, |
| John B. Bruner, | Samuel Haycraft, | Henry M. Rust, |
| Alex. L. Davidson, | John L. Irvan, | James Simpson, |
| Samuel E. DeHaven, | Samuel H. Jenkins, | Harrison Taylor, |
| George Denny, | John M. Johnson, | Cyrenius Wait, |
| John F. Fisk, | Thornton F. Marshall, | W. C. Whitaker—28. |

Those who voted in the negative, were—

| | | |
|----------------------|------------------|---------------------|
| Benjamin P. Cissell, | Robert E. Glenn, | E. Dudley Walker—4. |
| A. D. Cosby, | | |

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate then, according to special order, took up a bill of the following title, viz :

A bill to authorize circuit and equity courts to have entered of record certain orders for the sale of estates of infants and married women in certain cases.

Ordered, That said bill be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Alexander and Pennebaker, were as follows, viz :

Those who voted in the affirmative, were—

| | | |
|----------------------|-----------------------|----------------------|
| Benjamin P. Cissell, | Robert E. Glenn, | Albert G. Rhea, |
| Samuel E. DeHaven, | Samuel Haycraft, | James Simpson, |
| John F. Fisk, | Thornton F. Marshall, | Harrison Taylor, |
| J. E. Gibson, | C. D. Pennebaker, | Cyrenius Wait, |
| William C. Gillis, | William B. Read, | E. Dudley Walker—15. |

Those who voted in the negative, were—

| | | |
|---------------------|--------------------|--------------------|
| T. T. Alexander, | George Denny, | John M. Johnson, |
| Wm. T. Anthony, | John L. Irvan, | Henry M. Rust, |
| Landaff W. Andrews, | Samuel H. Jenkins, | W. C. Whitaker—10. |
| John B. Bruner, | | |

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate, according to special order, took up for consideration bills from the House of Representatives, of the following titles, viz :

An act to increase the revenue by imposing a tax on the business of express companies, railroads, and steamboats.

An act for the benefit of the Bank of Louisville and other banks.

Which were read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bills having been dispensed with,

Ordered, That said bills be read a third time.

The rule of the Senate, constitutional provision, and third reading of said bills having been dispensed with,

Ordered, That the first be referred to the Committee on the Judiciary, and the second to the Committee on Banks.

An act to amend the penal laws in relation to certain duties of county court clerks.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bill having been dispensed with,

Ordered, That said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with,

Mr. Cissell moved to lay said bill on the table.

The yeas and nays being required on said motion by Messrs. Andrews and Alexander, were as follows, viz:

Those who voted in the affirmative, were—

| | |
|---|-------------------|
| Mr. Speaker, (Porter,) A. D. Cosby, | Thomas S. Grundy, |
| William T. Anthony, George Denny, | John L. Irvan—8, |
| Benjamin P. Cissell, William C. Gillis, | |

Those who voted in the negative, were—

| | |
|---------------------------------------|--------------------|
| T. T. Alexander, Asa P. Grover, | William B. Read, |
| Landaff W. Andrews, Samuel Haycraft, | Albert G. Rhea, |
| Alex. L. Davidson, Samuel H. Jenkins, | James Simpson, |
| Samuel E. DeHaven, John M. Johnson, | Harrison Taylor, |
| John F. Fisk, Thornton F. Marshall, | Cyrenius Wait, |
| J. E. Gibson, Chas. D. Pennebaker, | W. C. Whitaker—19. |
| Robert E. Glenn, | |

And so said motion was rejected.

Mr. Rhea proposed an amendment,

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

An act for the benefit of pleasant Conway, of Caldwell county.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bill having been dispensed with,

Ordered, That said bill be read a third time.

Mr. Grover moved the previous question.

And the question being taken "Shall the main question be now put?"

It was decided in the affirmative.

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with,

The question was then taken on the passage of said bill; and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Alexander and Rust, were as follows, viz:

Those who voted in the affirmative, were—

| | |
|--|--------------------|
| Mr. Speaker, (Porter,) J. E. Gibson, | John A. Prall, |
| Landaff W. Andrews, Robert E. Glenn, | William B. Read, |
| Benjamin P. Cissell, Thomas S. Grundy, | Henry M. Rust, |
| A. D. Cosby, John L. Irvan, | Harrison Taylor, |
| Alex. L. Davidson, John M. Johnson, | Cyrenius Wait, |
| John F. Fisk, Chas. D. Pennebaker, | W. C. Whitaker—18. |

Those who voted in the negative, were—

| | |
|--|------------------|
| T. T. Alexander, George Denny, | Asa P. Grover, |
| William T. Anthony, William C. Gillis, | James Simpson—7. |
| Samuel E. DeHaven, | |

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Gillis, from the Committee on Enrollments, reported that they had examined sundry enrolled bills originating in the House of Representatives, of the following titles:

An act to appropriate money to the Eastern and Western Lunatic Asylums.

An act for the benefit of school district No. 65, in Muhlenburg county.

An act to incorporate the Eddyville Union School.

An act to amend the charter of the Stanford and Hustonville turnpike road company.

A resolution declaring further action by this Legislature on political questions inexpedient and unnecessary at this time.

Also a bill and resolution originating in the Senate, of the following titles, viz:

An act to incorporate the LaGrange Female Academy.

Resolution fixing a day for adjournment.

And that the same were correctly enrolled.

Whereupon the Speaker affixed his signature to said bills and resolutions, and they were handed to the Committee on Enrollments to be by them presented to the Governor for his approval and signature.

Mr. Fisk offered the following resolution, viz :

Resolved, That the Senate now adjourn to meet again at 7 o'clock to-night, to allow committees to report, and for the transaction of other business.

Mr. Andrews offered the following amendment by way of a substitute, viz :

Resolved, That when the Senate adjourns this evening, it adjourn to meet again to-morrow at 9 o'clock, A. M.

Mr. DeHaven moved the previous question.

And the question being taken, "Shall the main question be now put?"

It was decided in the negative.

The question was then taken on the amendment offered by Mr. Andrews,

And it was decided in the affirmative.

On motion of Mr. DeHaven, the Senate then adjourned.

SATURDAY, FEBRUARY 9, 1861.

Bills from the House of Representatives, of the following titles, were reported from the committees to which they had been referred.

By Mr. Haycraft, from the Committee on Religion—

An act to incorporate Lodge No. 81, I. O. O. F., of Louisville.

An act to incorporate the Iron Moulders' Local Union, of Covington.

By Mr. Taylor, from the Committee on Internal Improvement—

An act to amend an act, entitled "An act to incorporate the Verona and Morningview turnpike road company."

An act to incorporate the Licking River Mining and Manufacturing Company.

An act empowering the Owen county court to change a State road.

An act to repeal an act in relation to the collection of the railroad tax of McCracken county.

An act to amend an act incorporating the Munday's Landing and Harrodsburg turnpike road company.

An act declaring Licking river a navigable stream from Licking Station to the Trace Branch.

An act to authorize stockholders in turnpike roads in which the State holds stock to vote by proxy.

By Mr. DeHaven, from the Committee on Finance—

An act for the relief of school district No. 38, in Meade county.

Ordered, That said bills be read a third time.

The rule of the Senate, constitutional provision, and third reading of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Under a suspension of the rules, Mr. Grover offered the following resolution, viz:

Resolved, That no Senator shall speak longer than five minutes, nor more than once upon any one subject.

Which was rejected.

On motion of Mr. Fisk, a committee was appointed to wait upon the Governor and ask of him the return of a bill passed by the Senate of the following title, viz:

An act to appropriate money to the Western and Eastern Lunatic Asylums.

The yeas and nays being required on said motion by Messrs. Fisk and Marshall, were as follows, viz :

Those who voted in the affirmative, were—

| | | |
|------------------------|-----------------------|--------------------|
| Mr. Speaker, (Porter.) | Asa P. Grover, | William B. Read, |
| William T. Anthony, | Thomas S. Grundy, | Albert G. Rhea, |
| Landaff W. Andrews, | Samuel Haycraft, | L. H. Rousseau, |
| James R. Barrick, | John M. Johnson, | Henry M. Rust, |
| George Denny, | Thornton F. Marshall, | James Simpson, |
| John F. Fisk, | Chas. D. Pennebaker, | W. C. Whitaker—20. |
| J. E. Gibson, | John A. Prall, | |

Those who voted in the negative, were—

| | | |
|----------------------|--------------------|----------------------|
| T. T. Alexander, | Samuel E. DeHaven, | William H. McBrayer, |
| John B. Bruner, | William C. Gillis, | Harrison Taylor, |
| Benjamin P. Cissell, | Robert E. Glenn, | Cyrenius Wait, |
| A. D. Cosby, | John L. Irvan, | E. Dudley Walker—14. |
| Alex. L. Davidson, | Samuel H. Jenkins, | |

The Speaker appointed Messrs. Fisk and Cissell on said committee. Who retired, and in a short time returned, and informed the Senate that they had discharged the duties assigned them—that the Governor had signed the bill; and they laid said bill on the table of the Secretary.

The Speaker decided that the Senate having received official information from the report of said committee that the Governor had approved and signed said bill, no motion to reconsider the vote by which the Senate had passed said bill could be entertained, and directed the Secretary of the Senate to return said bill to the Governor.

Mr. Read moved a suspension of the rules to permit him to offer the following resolutions, viz :

Resolved by the General Assembly of the Commonwealth of Kentucky, That the thanks of the people are due, and are hereby most cordially tendered, to Hon. John J. Crittenden, for his constant and untiring efforts to effect a settlement of the unfortunate difficulties which threaten to destroy both the Federal Constitution and Union formed by that immortal instrument.

Resolved, That although the official connection of our venerable Senator with the national councils will terminate on the 4th of March next, his native State desires that he shall continue his patriotic exertions with unabated zeal, and not withhold from his countrymen the benefit of his wisdom and counsels in this critical period of their national existence.

Resolved, therefore, That in view of his intimate connection with the great work of pacification; and in view of the peculiar relations which he sustains to all sections, giving him unusual powers for good to his whole country, Kentucky earnestly requests of her distinguished Senator that he will remain at the Federal Capital, or visit as many of the States as he may deem proper, and urge the speedy adoption of such measures as will secure the equal rights of the people of all the States, and restore peace and harmony to our distracted country.

Resolved, That the Governor be requested to communicate a copy of the foregoing resolutions to Hon. J. J. Crittenden.

And the question being taken on said motion, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Read and Rust, were as follows, viz :

Those who voted in the affirmative, were—

| | | |
|---------------------|--------------------|------------------|
| T. T. Alexander, | William C. Gillis, | William B. Read, |
| Landaff W. Andrews, | Thomas S. Grundy, | Albert G. Rhea, |
| James R. Barrick, | Samuel Haycraft, | L. H. Rousseau, |
| John B. Bruner, | Samuel H. Jenkins, | James Simpson, |

A. D. Cosby, John M. Johnson, Harrison Taylor,
 Samuel E. DeHaven, Thornton F. Marshall, Cyrenius Wait,
 George Denny, Chas. D. Pennebaker, E. Dudley Walker,
 John F. Fisk, John A. Prall, W. C. Whitaker—25.
 J. E. Gibson,

Those who voted in the negative, were—

Mr. Speaker, (Porter,) Alex. L. Davidson, John L. Irvan,
 William T. Anthony, Robert E. Glenn, William H. McBrayer,
 Benjamin P. Cissell, Asa P. Grover, Henry M. Rust—9.

Mr. Andrews moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Cissell and Irvan, were as follows, viz:

Those who voted in the affirmative, were—

T. T. Alexander, J. E. Gibson, L. H. Rousseau,
 Landaff W. Andrews, William C. Gillis, James Simpson,
 James R. Barrick, Samuel Haycraft, Harrison Taylor,
 John B. Bruner, Thornton F. Marshall, Cyrenius Wait,
 A. D. Cosby, Chas. D. Pennebaker, E. Dudley Walker,
 John F. Fisk, William B. Read, W. C. Whitaker—18.

Those who voted in the negative, were—

Mr. Speaker, (Porter,) Robert E. Glenn, John M. Johnson,
 William T. Anthony, Asa P. Grover, William H. McBrayer,
 Benjamin P. Cissell, Thomas S. Grundy, John A. Prall,
 Alex. L. Davidson, John L. Irvan, Albert G. Rhea,
 Samuel E. DeHaven, Samuel H. Jenkins, Henry M. Rust—15.

The question being then taken on the adoption of said resolutions, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Cissell and Andrews, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Porter,) J. E. Gibson, John A. Prall,
 T. T. Alexander, William C. Gillis, William B. Read,
 William T. Anthony, Thomas S. Grundy, Albert G. Rhea,
 Landaff W. Andrews, Samuel Haycraft, L. H. Rousseau,
 James R. Barrick, Samuel H. Jenkins, James Simpson,
 John B. Bruner, John M. Johnson, Harrison Taylor,
 A. D. Cosby, Thornton F. Marshall, Cyrenius Wait,
 Samuel E. DeHaven, Wm. H. McBrayer, E. Dudley Walker,
 George Denny, C. D. Pennebaker, W. C. Whitaker—28.
 John F. Fisk,

Those who voted in the negative, were—

| | | |
|----------------------|------------------|------------------|
| Benjamin P. Cissell, | Robert E. Glenn, | John L. Irvan, |
| Alex. L. Davidson, | Asa P. Grover, | Henry M. Rust—6. |

And so said resolutions were adopted.

Mr. Irvan moved a suspension of the rules to permit him to offer the following resolution:

Resolved by the General Assembly of the Commonwealth of Kentucky,
That we sincerely and earnestly desire the perpetuation of the Union; its downfall would be disastrous to human freedom; and if so terrible a catastrophe shall mark the history of this nation, the cause will be justly attributable to Northern fanaticism. In such an event our destiny will be united with the South.

And the question being taken on said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Cissell and Rust, were as follows, viz :

Those who voted in the affirmative, were—

| | |
|---|----------------------|
| Mr. Speaker, (Porter,) Robert E. Glenn, | William H. McBrayer, |
| William T. Anthony, Asa P. Grover, | Albert G. Rhea, |
| Benjamin P. Cissell, John L. Irvan, | Henry M. Rust, |
| Alex. L. Davidson, Samuel H. Jenkins, | E. Dudley Walker—13. |
| J. E. Gibson, | |

Those who voted in the negative, were—

| | |
|---|--------------------|
| T. T. Alexander, * John F. Fisk, | William B. Read, |
| Landaff W. Andrews, William C. Gillis, | L. H. Rousseau, |
| James R. Barrick, Samuel Haycraft, | James Simpson, |
| John B. Bruner, John M. Johnson, | Harrison Taylor, |
| A. D. Cosby, Thornton F. Marshall, | Cyrenius Wait, |
| Samuel E. DeHaven, Chas. D. Pennebaker, | W. C. Whitaker—19. |
| George Denny, | |

And so the Senate refused to suspend the rules for the purpose of permitting said resolution to be offered.

Mr. Andrews offered the following resolution :

Resolved, That when the Senate adjourns at 1½ o'clock, it adjourn to meet again at 3 o'clock, P. M., to proceed with the business before the Senate.

Which was adopted.

Mr. Machen, from the House of Representatives, announced to the Senate that the House of Representatives had concurred in an amendment proposed by the Senate to an amendment offered by the House of Representatives to a bill originating in the Senate, of the following title, viz :

An act to amend the charters of the banks of Kentucky.

But had refused to concur in the second amendment proposed by the Senate to the first amendment proposed by the House of Representatives, and had appointed a committee of conference, to act in conjunction with a similar committee to be appointed by the Senate, to take into consideration the matter of disagreement between the two houses.

The Speaker appointed Messrs. Alexander, Johnson, and Rhea as said committee of conference.

Who retired, and in a short time made a report as the action of the joint committee.

Ordered, That the Senate concur in said report.

On motion of Mr. Gillis, leave of absence was granted to Mr. McBrayer.

A message was received from the House of Representatives, announcing that they had passed bills originating in the Senate, of the following titles:

An act allowing further time to the sheriffs for the benefit of taxpayers.

An act to incorporate the Carlisle Cemetery Company.

An act to amend the charter of Owenton.

An act for the benefit of Wm. Middleton.

An act to amend chapter 86 of the Revised Statutes.

An act to amend the charter of the Lexington and Southern Kentucky railroad company.

An act to amend the charter of the city of Covington.

An act to incorporate the Presbyterian Church of Greenupsburg.

An act to amend an act, entitled "An act incorporating the Salem Academy."

An act to incorporate the American Workingmen's Benevolent Association, of Covington.

An act for the benefit of Springfield.

An act for the benefit of the Carlisle and Sharpsburg turnpike road company.

An act to amend the charter of Rochester.

An act for the benefit of W. G. Harrison and Anderson Graves.

An act for the benefit of the sureties of John G. Pickens, late sheriff of Clinton county.

An act changing the time of holding the Bullitt county court.

An act to amend the charter of the Masonic Publication Association.

An act to establish an equity and criminal court in the county of Ballard.

An act appointing commissioners to run and mark the boundary lines of Wolfe county.

An act changing the time of holding the Oldham circuit court.

With an amendment to the last named bill by way of a substitute.

Resolution in relation to the geological specimens belonging to the State.

An act to authorize circuit and equity courts to have entered of record certain orders for the sale of estates of infants and married women in certain cases.

An act to amend an act requiring trustees, &c., in certain cases, to execute bond.

And that they had passed bills of the following titles, viz:

An act to amend the charter of the Southern College of Kentucky.

An act to amend the charter of Bowling-Green.

An act for the benefit of E. G. Wright, late marshal of Mt. Sterling, and his securities.

An act to amend the militia law.

And that they had concurred in amendments Nos. 1, 3, 5, 6, 7, 8, 9, and 10, and refused to concur in Nos. 2 and 11, and concurred in part, and refused to concur in the balance of No. 4, proposed by the Senate to a bill from the House of Representatives, of the following title:

An act for the appropriation of money.

Under a suspension of the rules, the bill was taken up, and,

On motion of Mr. DeHaven,

The Senate receded from the amendments proposed by it in which the House of Representatives refused to concur.

The following message from the Governor was received by the hands of Hon. Thomas B. Monroe, jr.:

EXECUTIVE OFFICE,
February 9th, 1861. }

Gentlemen of the Senate:

I nominate for your advice and consent the following persons as Notaries Public for the counties named, to-wit:

Sherrard Burton, Boyle county.

John C. Hansbro, Fayette county.

J. B. Poindexter, Jefferson county.

C. H. Barclay, Jefferson county.

J. J. Hawes, Jefferson county.

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Wm. Muir, Jefferson county.
J. A. Bullitt, Jefferson county.
J. R. Montgomery, Jefferson county.
H. A. Shaefier, Jefferson county.
Jas. H. Terrill, Jefferson county.
W. E. Robinson, Jefferson county.
W. R. Weleb, Jessamine county.
Jas. W. Alcorn, Lincoln county.
O. A. Patten, Kenton county.
P. T. Bush, Kenton county.
Jos. McGroty, Mercer county.
Taos. E. Moss, McCracken county.
Noah Spears, Scott county.
John McNeal, Shelby county.
D. H. Hughes, Union county.
L. W. Long, Union county.

Also, Wm. E. Price to be manager of Western Lunatic Asylum, vice W. S. Buckner, whose term of office is expired; James S. Phelps manager Eastern Lunatic Asylum, vice John S. Bryan, resigned,

B. MAGOFFIN.

Mr. Gillis, from the Committee on Enrollments, reported that they had examined a bill originating in the Senate, of the following title, viz:

An act regulating the time of holding the circuit courts in Calloway and Marshall counties.

Also, bills from the House of Representatives, of the following titles, viz :

- An act concerning the Deposit Bank of Greenville,
- An act for the benefit of Wilson Brown, of Rockcastle county.
- An act for the benefit of Fulton county.
- An act to amend the charter of Versailles.
- An act for the benefit of the town of Liberty.
- An act authorizing the Richmond and Lexington turnpike road company to change a toll-gate on said road.
- An act for the benefit of W. H Caplinger.
- An act to authorize the marshal of Owensboro to appoint a deputy.
- An act to incorporate the Bowling-Green Water-Works Company.
- An act to extend the boundary and amend the charter of the town of Bloomfield.
- An act to amend the charter of the town of New Haven, in Nelson county.
- An act to incorporate the Frankfort Cornet and String Band.

An act authorizing the re-indexing of certain deed books by the clerk of Graves county court.

And that the same were correctly enrolled.

Whereupon the Speaker affixed his signature to said bills, and they were returned to the committee to be by them presented to the Governor for his approval and signature.

Mr. DeHaven, from the Committee on Finance, to whom they had been referred, asked to be discharged from the further consideration of petitions for the following purposes :

The petition of George Stoval and others, praying the passage of a law preventing the collection of debts in this Commonwealth for twelve months.

The petition of A. Fuller and others, asking the same thing.

The petition of sundry citizens of Butler and Warren counties, praying the passage of a law preventing the collection of debts for at least eighteen months or two years.

The petition of W. A. Clarke and others, citizens of Louisville, praying the reduction by the Legislature of the tax upon billiard tables.

The same committee asked to be discharged from the further consideration of a leave to bring in a bill, offering a reward for the discovery of the cause and a cure for milk sickness.

But the Senate refused to discharge said committee.

Mr. DeHaven, from the Committee on Finance, to whom had been referred bills from the House of Representatives, of the following titles, viz: with the expression of opinion that they ought to be rejected :

An act for the benefit of A. B. Nelson, of Adair county.

Ordered, That said bill be rejected.

An act for the benefit of Martin Looker and Company.

And the question being taken on the rejection of said bill, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Read and Cissell, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|--|--|
| Mr. Speaker, (Porter,) William T. Anthony, James R. Barrick, Benjamin P. Cissell, A. D. Cosby, Samuel E. DeHaven, | J. E. Gibson, Robert E. Glenn, Asa P. Grover, John L. Irvan, Thornton F. Marshall, | William H. McBrayer, John A. Prall, William B. Read, Harrison Taylor, W. C. Whitaker—16. |
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| Boone | — |
| Breathitt | — |
| Ballard | — |
| Bath | — |
| Butler | — |
| Caldwell | — |
| Campbell | — |
| Christian | — |
| Clarke | — |
| Carroll | — |
| Casey | — |
| Clinton | — |
| Cumberland | — |
| Gittenden | — |
| Carter | — |
| Calloway | — |

Those who voted in the negative, were—

| | | |
|---------------------|----------------------|----------------------|
| Landaff W. Andrews, | William C. Gillis, | Henry M. Rust, |
| John B. Bruner, | Thomas S. Grundy, | James Simpson, |
| Alex. L. Davidson, | Samuel Haycraft, | Cyrenius Wait, |
| George Denny. | Chas. D. Pennebaker, | E. Dudley Walker—14. |
| John F. Fisk, | L. H. Rousseau, | |

And so said bill was rejected.

The Speaker laid before the Senate the response of the Auditor of Public Accounts to a resolution of the Senate passed on a former day of the session, as follows:

AUDITOR'S OFFICE, KENTUCKY,
Frankfort, February 9, 1861. }

Hon. THOMAS P. PORTER,
Speaker of the Senate of Kentucky:

SIR: In response to a resolution of the Senate of Kentucky, of the 5th inst., asking "what rate of increase of taxation per annum on the \$100 worth of property in Kentucky, is necessary to raise the sum of \$3,664,469 70; and, also, the sum of \$5,000,000; and what proportion each county will be required to pay," I have the honor to report, that, taking as the basis the valuation of 1860, the increase of taxation on the \$100 worth of property to raise \$3,664,469 70 will be 71 71-100 cents, and the increase required to raise \$5,000,000 will be 96 84-100 cents on the \$100 worth of property.

The amount required to be paid by each county at the above rates of increased taxation will be as follows, viz:

| COUNTIES. | Value of property, 1860. | Tax at 71 cts. on \$100. | Tax at 97 cts. on \$100. |
|--------------|--------------------------|--------------------------|--------------------------|
| Adair | \$3,083,092 00 | \$21,889 95 | \$29,905 99 |
| Allen | 3,231,218 00 | 22,941 63 | 31,342 80 |
| Anderson | 2,725,277 00 | 19,349 46 | 26,435 18 |
| Boyle | 5,974,836 00 | 42,421 32 | 57,975 90 |
| Bracken | 3,037,109 00 | 21,563 47 | 29,459 95 |
| Bullitt | 3,182,407 00 | 22,595 08 | 30,859 33 |
| Bourbon | 15,101,536 00 | 107,220 89 | 145,444 89 |
| Barren | 8,042,353 00 | 57,100 70 | 78,010 81 |
| Breckinridge | 4,578,463 00 | 32,507 08 | 44,411 08 |
| Boone | 6,779,025 00 | 48,131 07 | 63,756 53 |
| Breathitt | 754,693 00 | 5,358 31 | 7,320 32 |
| Ballard | 2,999,961 00 | 21,299 71 | 27,039 60 |
| Bath | 4,355,709 00 | 30,925 52 | 42,250 36 |
| Butler | 2,106,356 00 | 14,955 12 | 20,431 64 |
| Caldwell | 4,531,373 00 | 32,172 74 | 44,054 31 |
| Campbell | 4,193,070 00 | 29,770 79 | 40,672 77 |
| Christian | 12,650,043 00 | 89,815 29 | 122,715 41 |
| Clarke | 8,896,219 00 | 63,163 14 | 86,293 31 |
| Carroll | 3,157,929 00 | 22,421 29 | 30,631 90 |
| Casey | 1,760,310 00 | 12,498 19 | 17,074 99 |
| Clinton | 1,324,656 00 | 9,303 05 | 12,849 15 |
| Cumberland | 2,432,397 00 | 17,270 01 | 23,604 25 |
| Crittenden | 2,475,734 00 | 17,577 71 | 24,024 61 |
| Carter | 1,305,079 00 | 9,266 05 | 12,659 26 |
| Calloway | 3,557,360 00 | 25,440 25 | 34,797 38 |

| COUNTIES. | Value of property, 1860. | Tax at 71 cts. on \$100. | Tax at 97 cts. on \$100. |
|------------------|--------------------------|--------------------------|--------------------------|
| Clay | \$914,973 00 | \$6,491 33 | \$8,868 44 |
| Daviess | 8,604,450 00 | 61,091 59 | 83,463 16 |
| Edmonson | 853,554 00 | 6,060 22 | 8,279 46 |
| Estill | 1,793,907 00 | 12,736 74 | 17,490 89 |
| Franklin | 6,334,421 00 | 44,874 38 | 61,443 86 |
| Fayette | 19,820,932 00 | 140,728 61 | 192,263 03 |
| Floyd | 828,126 00 | 5,879 68 | 8,032 81 |
| Fleming | 6,413,899 00 | 45,538 68 | 62,214 82 |
| Fulton | 1,915,052 00 | 13,596 89 | 18,575 99 |
| Gallatin | 2,310,951 00 | 16,407 74 | 22,416 21 |
| Graves | 6,426,819 00 | 45,630 41 | 62,340 14 |
| Greenup | 2,538,448 00 | 18,022 97 | 24,622 84 |
| Grant | 3,841,913 00 | 23,727 58 | 32,516 55 |
| Grayson | 1,780,342 00 | 12,640 43 | 17,269 32 |
| Garrard | 6,333,541 00 | 44,968 13 | 61,435 34 |
| Green | 2,952,045 00 | 20,959 52 | 28,634 83 |
| Hopkins | 6,057,569 00 | 43,008 75 | 58,758 41 |
| Henderson | 11,300,999 00 | 80,237 10 | 109,619 70 |
| Hancock | 2,235,035 00 | 15,868 75 | 21,461 30 |
| Henry | 6,798,869 00 | 48,271 97 | 65,949 03 |
| Harlan | 798,542 00 | 5,669 65 | 7,745 86 |
| Hart | 2,858,503 00 | 20,295 37 | 27,827 47 |
| Harrison | 8,871,267 00 | 62,986 00 | 86,051 29 |
| Hickman | 2,725,461 00 | 19,350 78 | 26,436 97 |
| Jackson | 311,170 00 | 2,209 31 | 3,018 55 |
| Jessamine | 7,236,328 00 | 51,377 93 | 71,192 38 |
| Johnson | 739,989 00 | 5,253 93 | 7,177 90 |
| Jefferson | 55,136,372 00 | 391,468 24 | 534,892 81 |
| Kenton | 10,644,108 00 | 75,573 16 | 103,247 84 |
| Knox | 1,481,773 00 | 10,520 59 | 14,373 20 |
| Lyon | 2,090,243 00 | 14,840 73 | 20,275 36 |
| Larue | 2,280,787 00 | 16,193 59 | 22,123 64 |
| Letcher | 438,030 00 | 3,110 01 | 4,248 89 |
| Laurel | 801,815 00 | 5,692 88 | 7,777 60 |
| Lewis | 2,241,355 00 | 15,913 62 | 21,749 14 |
| Lincoln | 6,441,528 00 | 45,734 85 | 62,492 82 |
| Lawrence | 1,214,490 00 | 8,622 88 | 11,780 56 |
| Logan | 9,433,725 00 | 66,979 45 | 91,527 13 |
| Livingston | 2,580,601 00 | 18,322 26 | 25,031 82 |
| Muhlenburg | 3,448,001 00 | 24,380 80 | 33,445 60 |
| Madison | 13,289,070 00 | 94,352 40 | 128,903 98 |
| Mercer | 6,585,904 00 | 46,759 91 | 63,883 26 |
| Montgomery | 6,092,610 00 | 43,257 53 | 59,093 31 |
| Marshall | 1,964,255 00 | 13,946 21 | 19,053 27 |
| McCracken | 5,588,280 00 | 39,676 79 | 54,206 32 |
| Meade | 3,115,998 00 | 22,123 59 | 30,225 19 |
| McLean | 2,218,918 00 | 15,754 31 | 21,523 50 |
| Magoffin | 591,604 00 | 4,200 38 | 5,738 55 |
| Mouroe | 2,196,212 00 | 15,593 10 | 21,303 25 |
| Morgan | 1,556,995 00 | 11,267 67 | 15,393 86 |
| Mason | 10,500,215 00 | 74,551 52 | 101,852 08 |
| Nicholas | 4,893,850 00 | 34,736 34 | 47,470 35 |
| Nelson | 9,697,378 00 | 58,851 39 | 94,044 57 |
| Oldham | 4,501,831 00 | 31,963 00 | 43,667 76 |
| Owen | 4,087,662 00 | 29,022 40 | 39,650 32 |
| Ohio | 3,953,259 00 | 28,068 14 | 38,346 60 |
| Owsley | 893,302 00 | 6,342 44 | 8,865 02 |
| Perry | 424,370 00 | 3,013 03 | 4,111 68 |
| Putaski | 3,650,051 00 | 25,915 36 | 35,405 49 |
| Pike | 1,043,375 00 | 7,407 97 | 10,120 74 |
| Pendleton | 2,768,107 00 | 19,653 56 | 26,850 63 |
| Powell | 391,892 00 | 2,781 93 | 3,800 67 |
| Rowan | 436,102 00 | 3,096 32 | 4,230 18 |
| Rockcastle | 1,023,119 00 | 7,264 14 | 9,924 25 |

| COUNTIES. | Value of property, 1860. | Tax at 71 cts. on \$100. | Tax at 97 cts. on \$100 |
|------------|--------------------------|--------------------------|-------------------------|
| Russell | \$1,614,017 00 | \$11,459 52 | \$15,655 96 |
| Simpson | 3,727,485 00 | 26,465 15 | 36,156 61 |
| Shelby | 13,442,341 00 | 95,440 62 | 130,390 71 |
| Scott | 10,178,595 00 | 72,268 03 | 98,732 38 |
| Spencer | 4,548,280 00 | 32,292 79 | 44,118 32 |
| Todd | 5,508,593 00 | 39,111 01 | 53,433 36 |
| Taylor | 2,345,291 00 | 16,651 57 | 22,749 33 |
| Trigg | 5,305,151 00 | 37,665 57 | 51,459 96 |
| Trimble | 2,015,060 00 | 14,306 93 | 19,546 08 |
| Union | 6,596,080 00 | 45,832 17 | 63,981 98 |
| Woodford | 10,523,699 00 | 74,718 27 | 102,079 89 |
| Wayne | 2,967,965 00 | 21,072 55 | 28,789 26 |
| Warren | 9,555,238 00 | 67,842 19 | 92,685 81 |
| Whitley | 903,224 00 | 6,412 89 | 8,761 27 |
| Washington | 5,152,984 00 | 36,586 19 | 49,983 95 |
| Boyd | 1,473,613 00 | 10,462 65 | 14,294 04 |
| Hardin | 5,349,032 00 | 37,978 13 | 51,885 61 |
| Total | | \$3,654,360 98 | \$5,005,400 03 |

For convenience in making the calculations for the counties the decimals are left out, which accounts for the footings up not making the amounts asked for. The calculation for the \$3,664,469 70 is made at 71 cents instead of 71 71-100, which makes the amount less than that called for; and the calculation for the \$5,000,000 is made at 97 cents instead of 96-84 cents, which makes the amount slightly more than that called for. The reason for making the calculation in this way is, that I desired to make my response before the Legislature adjourned; and if these calculations had been made by running out the decimals, thus making it exact, the report could not have been finished before the adjournment.

Respectfully,
GRANT GREEN, Auditor.

Ordered, That the Public Printer forthwith print 150 copies of said response for the use of the members of the General Assembly.

Mr. Read, from the Committee on Finance, reported a bill of the following title, viz:

A bill changing the time of assessing taxable property.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bill having been dispensed with,

Ordered, That the further consideration of said bill be postponed until the 21st of March next, at 11 o'clock, A. M., and that the Public Printer forthwith print 150 copies of the same for the use of the members of the General Assembly.

Mr. Fisk moved a suspension of the rules, to enable him to offer the following resolution, viz :

Resolved, That the Committee on Finance be instructed to report to the Senate, at four o'clock this day, a bill to repeal an act, entitled "An act appropriating money to the Eastern and Western Lunatic Asylums."

The question being taken on said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Alexander and Cissell, were as follows, viz :

Those who voted in the affirmative, were—

| | |
|---|--------------------|
| Mr. Speaker, (Porter,) Samuel Haycraft, | Albert G. Rhea, |
| William T. Anthony, Thornton F. Marshall, | L. H. Rousseau, |
| James R. Barrick, C. D. Pennebaker, | Henry M. Rust, |
| George Denny, John A. Prall | James Simpson, |
| John F. Fisk, William B. Read, | W. C. Whitaker—16. |
| Asa P. Grover, | |

Those who voted in the negative, were—

| | |
|--|----------------------|
| T. T. Alexander, J. E. Gibson, | Samuel H. Jenkins, |
| Landaff W. Andrews, William C. Gillis, | John M. Johnson, |
| John B. Bruner, Robert E. Glenn, | Harrison Taylor, |
| Benjamin P. Cissell, Thomas S. Grundy, | Cyrenius Wait, |
| A. D. Cosby, John L. Irvin, | E. Dudley Walker—16. |
| Samuel E. DeHaven, | |

And so the Senate refused to suspend the rules for the purpose indicated.

Mr. Marshall moved to adjourn.

The question being taken on said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Fisk and Marshall, were as follows, viz :

Those who voted in the affirmative, were—

| | |
|--------------------------------------|-----------------------|
| Mr. Speaker, (Porter,) J. E. Gibson, | John M. Johnson, |
| T. T. Alexander, William C. Gillis, | Thornton F. Marshall, |
| Landaff W. Andrews, Robert E. Glenn, | L. H. Rousseau, |
| James R. Barrick, Samuel Haycraft, | Harrison Taylor, |
| Benjamin P. Cissell, John L. Irvin, | Cyrenius Wait—15. |

Those who voted in the negative, were—

| | |
|--------------------------------------|--------------------|
| Wm. T. Anthony, Asa P. Grover, | Albert G. Rhea, |
| John B. Bruner, Thomas S. Grundy, | Henry M. Rust, |
| A. D. Cosby, Samuel H. Jenkins, | James Simpson, |
| Samuel E. DeHaven, C. D. Pennebaker, | E. Dudley Walker, |
| George Denny, John A. Prall, | W. C. Whitaker—16. |
| John F. Fisk, | |

And so the Senate refused to adjourn.

Under a suspension of the rules, Mr. Whitaker offered the following resolution, viz :

Resolved, That the Committee on Finance be instructed to obtain from all the eleemosynary institutions of this State, and that the managers of the same be required to furnish a full and complete account of all the moneys appropriated for their use, and the manner and to what uses the same has been applied; and what the per capitem expense to the State of every recipient of her bounty, and also the percentage of deaths in each of said institutions, and report to the next meeting of this Senate.

Various amendments were proposed to said resolution, and adopted.

The resolution, as amended, was then adopted.

Ordered, That the Public Printer forthwith print 150 copies of said resolution, as circulars, for the use of the special committee appointed thereby.

Mr. Read moved to adjourn.

And the question being taken on said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Walker and Alexander, were as follows, viz :

Those who voted in the affirmative, were—

| | | |
|---|--|---|
| Mr. Speaker, (Porter,) T. T. Alexander, James R. Barrick, Benjamin P. Cissell, William C. Gillis, | Robert E. Glenn, Thomas S. Grundy, Samuel Haycraft, John L. Irvan, | Thornton F. Marshall, William B. Read, James Simpson, Harrison Taylor—13. |
|---|--|---|

Those who voted in the negative, were—

| | | |
|---|--|--|
| William T. Anthony, Landaff W. Andrews, John B. Bruner, A. D. Cosby, Samuel E. DeHaven, George Denny, John F. Fisk, | J. E. Gibson, Asa P. Grover, Samuel H. Jenkins, John M. Johnson, Chas. D. Pennebaker, John A. Prall, | Albert G. Rhéa, L. H. Rousseau, Henry M. Rust, Cyrenius Wait, E. Dudley Walker, W. C. Whitaker—19. |
|---|--|--|

Mr. Walker moved a suspension of the rules to enable the committee on Circuit Courts to report a bill,

Which motion was rejected.

Mr. Denny moved to adjourn.

And the question being taken on said motion, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. DeHaven and Read, were as follows, viz :

Those who voted in the affirmative, were—

| | | |
|----------------------|-----------------------|----------------------|
| T. T. Alexander, | J. E. Gibson, | Chas. D. Pennebaker, |
| Landaff W. Andrews, | William C. Gillis, | Henry M. Rust, |
| James R. Barrick, | Thomas S. Grundy, | James Simpson, |
| Benjamin P. Cissell, | Samuel Haycraft, | Harrison Taylor, |
| George Denny, | John L. Irvan, | Cyrenius Wait, |
| John F. Fisk, | Thornton F. Marshall, | W. C. Whitaker—18. |

Those who voted in the negative, were—

| | |
|---|----------------------|
| Mr. Speaker, (Porter,) Robert E. Glenn, | William B. Read, |
| William T. Anthony, Asa P. Grover, | Albert G. Rhea, |
| John B. Bruner, Samuel H. Jenkins, | L. H. Rousseau, |
| A. D. Cosby, John M. Johnson, | E. Dudley Walker—14. |
| Samuel E. DeHaven, John A. Prall, | |

And then the Senate adjourned.

MONDAY, FEBRUARY 11, 1861.

Under a suspension of the rules of the Senate, Mr. DeHaven moved to take up the amendment, by way of substitute, offered by the House of Representatives to a bill originating in the Senate, of the following title, viz :

An act changing the time of holding the Oldham circuit court.

Ordered, That the Senate concur in the amendment offered by the House of Representatives to said bill.

Mr. Walker, from the Committee on the Court of Appeals, reported a bill of the following title, viz :

A bill repealing all laws authorizing the holding of circuit courts in Ohio county prior to the 1st of July, 1861.

Mr. Irvan, from a select committee, reported a bill of the following title, viz :

A bill incorporating the Roaring Springs, in Trigg county.

Which were read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bills having been dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported, viz:

By Mr. Grover, from the Committee on Finance, to whom had been referred a bill of the House of Representatives, of the following title, viz:

An act for the benefit of Richard M. Moore.

By Mr. Johnson, from the Committee on Banks—

An act to incorporate the Deposit Bank of New Liberty.

An act to amend the charter of the Merchants' Deposit Bank of Danville.

Ordered, That said bills be read a third time.

The rule of the Senate, constitutional provision, and third reading of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

By Mr. Johnson, from the Committee on Banks, to whom had been referred a bill originating in the House of Representatives, of the following title, viz:

An act for the benefit of the Bank of Louisville, and other banks.

Mr. Fisk offered the following amendment, viz:

Amend by striking out the 3d and 4th sections.

Mr. Alexander moved the previous question,

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The yeas and nays being required on the amendment offered by Mr. Fisk, by Messrs. Fisk and Grover, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|------------------------|-------------------|--------------------|
| Mr. Speaker, (Porter), | J. E. Gibson, | Samuel H. Jenkins, |
| Samuel E. DeHaven, | Asa P. Grover, | Henry M. Rust—8. |
| John F. Fisk, | Thomas S. Grundy, | |

Those who voted in the negative, were—

| | | |
|---------------------|------------------|----------------------|
| T. T. Alexander, | A. D. Cosby, | Chas. D. Pennebaker, |
| William T. Anthony, | George Denny, | William B. Read, |
| Landaff W. Andrews, | Robert E. Glenn, | L. H. Rousseau, |

James R. Barrick, Samuel Haycraft, Harrison Taylor,
 John B. Bruner, John M. Johnson, Cyrenius Wait,
 Benjamin P. Cissell, Thornton F. Marshall, W. C. Whitaker—18.

And so said amendment was rejected.

Ordered, That said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with,

The question was then taken on its passage, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Fisk and Grover, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|----------------------|-----------------------|--------------------|
| T. T. Alexander, | A. D. Cosby, | C. D. Pennebaker, |
| William T. Anthony, | George Denny, | William B. Read, |
| Landaff W. Andrews, | Robert E. Glenn, | L. H. Rousseau, |
| James R. Barrick, | Samuel Haycraft, | Harrison Taylor, |
| John B. Bruner, | John M. Johnson, | Cyrenius Wait, |
| Benjamin P. Cissell, | Thornton F. Marshall, | W. C. Whitaker—18. |

Those who voted in the negative, were—

| | | |
|------------------------|-------------------|--------------------|
| Mr. Speaker, (Porter), | Asa P. Grover, | Samuel H. Jenkins, |
| John F. Fisk, | Thomas S. Grundy, | Henry M. Rust—8. |
| J. E. Gibson, | John L. Irvan, | |

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

By same—

An act to incorporate the Planters' Bank of Henderson.

Said bill was read a third time.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Irvan and Rust, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---------------------|-----------------------|-------------------|
| Landaff W. Andrews, | Robert E. Glenn, | John A. Prall, |
| James R. Barrick, | Samuel Haycraft, | William B. Read, |
| John B. Bruner, | John M. Johnson, | Harrison Taylor, |
| A. D. Cosby, | Thornton F. Marshall, | Cyrenius Wait—14. |
| J. E. Gibson, | Chas. D. Pennebaker, | |

Those who voted in the negative, were—

| | | |
|------------------------|----------------|-------------------|
| Mr. Speaker, (Porter), | John F. Fisk, | Henry M. Rust, |
| T. T. Alexander, | John L. Irvan, | W. C. Whitaker—7. |
| George Denny, | | |

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Johnson, from the Committee on Banks, made the following report, viz :

The Committee on Banks, to whom was referred a resolution of the Senate, instructing the committee to "correspond with the various banks of this State as to what legislation, if any, is necessary, or whether any legislation can be now had with reference to their banks, calculated to give any financial relief to the people of this State," have had the same under consideration, and beg leave to report—

That they addressed letters to the officers of the various banks, calling their attention to the resolution of the Senate, and asking them to submit the same to their boards of directors at as early a day as practicable, so that the information sought for might be obtained in time to be acted upon before the adjournment of the present called session of the Legislature. The committee regret to say, however, that only five out of eight of the banks have responded, and their replies are hereto annexed. These banks, it will be seen, suggest no plan of relief, and only one has manifested a willingness to co-operate in an effort to save the commerce and business of the State from impending ruin; but as there seems to be no common ground of co-operation suggested by any of them, it will be impossible for this one, unaided and alone, to accomplish the beneficent end contemplated in the resolution, and hoped for by the committee.

We will briefly review the condition of the banks for twelve months past, and believe it will demonstrate the fact that they, from too much regard for the interest of the banks, and too little for that of the country, have been gradually withdrawing their paper from circulation, and are, in an eminent degree, responsible for the present pecuniary distress of the country.

The active banking capital of the State, on the 1st day of January, 1860, was twelve millions one hundred and eighty-four thousand dollars; the circulation at the same time was thirteen millions five hundred and twenty thousand dollars; the coin on hand amounted to four millions four hundred and ninety-seven thousand dollars.

On the first day of July, 1860, the circulation was nine millions eight hundred and twenty thousand dollars, and the coin four millions six hundred and five thousand dollars.

On the 1st day of January, 1861, the general aggregate of the capital stock was increased nine hundred thousand dollars, by additional stock allowed to the Commercial Bank, and amounted, therefore, to thirteen millions four hundred and twenty-nine thousand dollars; the coin on hand was four millions four hundred and sixty-six thousand dollars, whilst the circulation is reduced to ten millions two hundred and sixty-seven thousand dollars, nominally, but really to nine millions five hundred and seventeen thousand dollars. In addition to this, the exchange held by the banks, on the 1st January, 1861, which is equal to specie, amounts to one million six hundred and forty-nine thousand

dollars, and which, added to the specie in the banks at the same time, makes the sum of six millions one hundred and fifteen thousand dollars.

The nominal circulation is now, therefore, ten millions two hundred and sixty-seven thousand dollars, subject to a deduction of seven hundred and sixty thousand dollars, which reduces the liability, on account of circulation, to \$9,507,000. Thus, it will be seen, that whilst the banks report their circulation at ten million two hundred and sixty-seven thousand dollars, it is really but nine million five hundred and seven thousand dollars; and whilst their coin is reported at four million four hundred and sixty-six thousand dollars, they have, in addition, one million six hundred and forty-nine thousand dollars in eastern exchange, which is worth a premium of $\frac{1}{2}$ per cent. over gold, and which serves to protect their circulation more effectually even than the coin, making their cash assets six million one hundred and fifteen thousand dollars, with which to protect this paltry circulation of nine millions five hundred and seven thousand dollars. Your committee stand amazed at this condition of affairs, and cannot dismiss the subject without condemning, in the strongest terms, the policy which makes the distresses of the country more appalling, by withholding from commerce and labor the sinews necessary to drive it on, when it is so completely in their power to do so.

It is contended, in extenuation of this policy, that the present pecuniary troubles of the country are purely political, and when these shall have been adjusted, that confidence will return, commerce and manufactures revive, and labor once more receive its reward; but all this is expected to take place without assistance, and apparently without sympathy from the vast moneyed corporations of the State, upon whom, in a moment of too much confidence, the people have conferred such extraordinary privileges.

The committee would submit to the Senate three propositions: 1st, that the banks have absorbed most of the available private capital of the State in payment for their stocks, under assurances of protection and assistance to all the departments of labor and business; 2d, they have stimulated trade to inflation, and run up the value of property to fabulous prices, thus making prosperity *too prosperous*; 3d, they have suddenly contracted their discounts, leaving commerce and labor powerless, even if it involves, as it must do, the ruin of the whole State.

In view, therefore, of all this, the question very naturally recurs, what ought the banks to do? Does not sound morality, to say nothing of sound policy, demand that they should carry out the true spirit and intent which induced the people to confer upon them such monstrous privileges, and in consideration of which, they were to foster and protect the great industrial and commercial interests of the country?

Your committee are of opinion that if the banks will consent to re-issue four millions of dollars, in addition to their present circulation, and receive it on deposit and in payment of all debts due the banks, and carry out such an agreement in good faith, that it will prevent the impending bankruptcy of both the State and people, for a generation to come.

The committee appeal to the Legislature for the enactment of such

a law as this in behalf of the people, who, in many places, are almost in a state of destitution from the failure of the crops of last year, and the scarcity of money consequent upon this and the threatened disruption of the government.

The committee is of opinion that one more crop would redeem the country from its present pecuniary thraldoms, and if the people can only get bread for one year in the vast districts where the crop has failed, and prevent their property from being sacrificed, through the intervention of this Legislature, they can content themselves with having done what they could to mitigate the sufferings of the people, who are not the authors of their misfortunes.

JOHN M. JOHNSON, *Chairman.*

PEOPLE'S BANK OF KENTUCKY, }
Bowling-Green, Jan. 30, 1861.] }

John M. Johnson, John B. Bruner, Committee on Banks, Frankfort, Ky.:

GENTLEMEN: Your favor of the 26th January is received, and as requested, the same submitted to our board of directors.

I am instructed to say that the capital of this bank is so small, in comparison to the other banks of the State, that our opinion, we fear, will be of little weight with the Legislature.

We have, as you will see, discounted liberally to the people in the way of accommodation paper, and since the institution of the bank we have endeavored to supply them with means. The times are such at present as to prevent our relieving the present wants to the extent we are able, owing to the continued *runs* made by *runners* from Ohio, Cincinnati, and Louisville.

Should the Legislature conclude to make an effort on their part to protect the banks from these runs, and permit them to extend their circulation, redeemable at some future time, making it good in payment of debts, revenue, &c., a very great relief might be afforded the people.

We beg leave to say that this bank holds herself ready to meet any demand that will afford relief, to the extent of a fair proportion of her capital.

Yours, &c.,

A. G. HOBSON, *Cashier.*

Statement of the condition of the People's Bank of Kentucky, and Branch, on the 31st day of December, 1860.

ASSETS.

| | |
|----------------------------|--------------|
| Notes discounted | \$173,516 08 |
| Bills of exchange | 245,409 82 |
| Suspended debt | 12,985 55 |
| Protest | 129 76 |
| | \$432,041 21 |
| Safes, vault, and fixtures | 1,900 00 |
| Cash means—Gold and silver | \$122,691 07 |
| Notes of other banks | 4,670 00 |
| Eastern exchange | 63,369 70 |
| Due from banks and bankers | 36,348 36 |
| | \$227,079 13 |
| | <hr/> |
| | \$661,020 34 |

LIABILITIES.

| | |
|--|--------------|
| Capital stock..... | \$250,000 00 |
| Circulation..... | 344,071 00 |
| Due depositors..... | 36,941 53 |
| Due banks..... | 3 86 |
| Unclaimed dividend..... | 350 00 |
| Contingent fund, profit and loss..... | 29,653 95 |
| | <hr/> |
| | \$661,020 34 |
| Contingent fund, profit and loss, as above | \$29,653 95 |
| Deduct dividend No. 2, 4 per cent. | 10,000 00 |
| | <hr/> |
| Leaves contingent fund, profit and loss | \$19,653 95 |

A. G. HOBSON, *Cashier.*

BOWLING-GREEN, January 1, 1861.

BANK OF KENTUCKY,
Louisville, Feb. 1st, 1861.}*Hons. John M. Johnson, John B. Bruner, Committee on Banks:*

GENTLEMEN: Your favor of the 26th ult., addressed to the president of this bank, is at hand. In the absence of the president from the State, the undersigned are instructed by the board of directors to reply to the same.

A communication of similar purport was lately received by this bank from the Bank Committee of the House of Representatives. In our response to the same, the views of this bank were given at length, and we beg leave to respectfully refer your committee thereto.

It is our opinion, after the fullest and most thorough consideration of the question in our power, that no legislation, in reference to the banks, is calculated to give financial relief to the people of this State.

Very respectfully,

JAS. TRABUE, *Vice Pres't,* } Committee.
H. A. GRISWOLD, }SOUTHERN BANK OF KENTUCKY,
Russellville, 30th Jan., 1861.}*Hons. John M. Johnson, John B. Bruner, Committee:*

DEAR SIRS: Your favor of 26th inst. was this day submitted to the Board, and contents considered. I am directed to say, in reply, that the banks of the State, as far as we know, are all doing what they can, safely and prudently, to relieve the present financial pressure. We do not now see how any further legislation on the subject can afford relief. The pressure in this part of the State is caused mostly by the short crops of last season. If we should be favored with abundant crops the present year, we think the financial condition of the country would then be comparatively easy.

In our opinion, the banking capital of Kentucky is now larger than is required by the legitimate business wants of the State. The circulation of the banks of Kentucky is now several millions of dollars below the amount authorized by the charters, and yet it is now larger than the business of the country requires, as is proved by the large returns of our notes for redemption in gold or in exchange on New

York. Upwards of \$20,000 of our notes were returned here for redemption only a few days ago by a Cincinnati banker. The bankers of our own State are not now returning our notes, to any large extent, for redemption.

Very truly and respectfully yours,
G. W. NORTON, President.

FARMERS' BANK OF KENTUCKY, }
Frankfort, Feb. 7th, 1861. }

Messrs. J. M. Johnson, and others, Committee:

GENTLEMEN: Your communication of the 26th ult., inquiring the opinion of this bank as to what legislation is necessary to enable the banks of this State to furnish to the community "a larger circulating medium," has been duly received and considered.

By reference to the bank reports of the 1st January, you will see that they had a circulation outstanding at that period of fully ten millions of dollars; an amount surely adequate to the wants of the State, in view of the utter prostration of its business and trade, if that circulation was performing its ordinary functions.

In our opinion the difficulty does not lie in the want of a sufficient circulating medium, but in the destruction of confidence consequent in the political aspect of our national affairs. An attempt, therefore, to remove the difficulties by an increase of circulation, would, in our opinion, be an additional blow to confidence, and increase the trouble.

It is to be fondly hoped that the Legislature, by wise action, may calm the public mind, revive hope, and restore confidence, and thus give substantial relief to the people of the State.

The banks will be ready enough to expand with the renewal of confidence and trade.

No legislation can, in our judgment, enable the banks, with safety to themselves, or benefit to the public, to increase the circulating medium to the community until a resumption of business takes place.

Respectfully, P. SWIGERT, President.

COMMERCIAL BANK OF KENTUCKY, }
Paducah, February 1st, 1861. }

To Messrs. J. M. Johnson and Jno. B. Bruner, Senate Committee on Banks:

GENTLEMEN: Yours of the 26th January was received this morning, accompanied by the Senate resolution on the subject of the banks and financial relief of the people of the State.

Our president, Mr. Flournoy, is absent in New Orleans, and not here to respond to your inquiry.

This evening the board of directors met to consult on the subject of this resolution, and I am directed to say to you, as they have said to the committee from the House of Representatives, that they are unable to make any suggestion to you that would give effect or point to your labors. The disturbed condition of national affairs, and the unsettled feelings of the States, has so suddenly checked our long continued prosperity, lowered the value of property, and crowded uncertainties upon the

public mind so fast, that the surest intellect might be excused from approaching the subject.

An increased circulation on the part of the banks would call for increased supply of coin.

If an irredeemable currency be resorted to, would that not lessen in value, and probably generate loose banking, and do injury to the credit of the State?

In any aspect, the subject has great difficulties.

The directory, however, bid me say that they are willing to see this institution co-operate with any policy to give relief that the wisdom of the Senate, and the counsels of the older banks of the State, may think best to organize.

With much respect, your ob't servant,
JAS. L. DALLAM, *Cashier.*

Ordered, That the Public Printer forthwith print 150 copies of the same for the use of the members of the General Assembly.

Under a suspension of the rules, the Senate then took up a bill of the House of Representatives, of the following title, viz :

An act for the benefit of E. G. Wright, late marshal of Mt. Sterling, and his securities.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bill being dispensed with,

Ordered, That said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the House of Representatives, announcing that they had passed a bill originating in the Senate of the following title, viz :

An act repealing all laws authorizing the holding of circuit courts in the county of Ohio prior to the 1st of July, 1861.

Under a suspension of the rules, the following resolutions were offered :

By Mr. Rust—

Resolved, That the Sergeant-at-Arms of the Senate be directed to exchange the old clock for a new one, if practicable, for the Senate Chamber, and report to the Senate on the re-assembling of the Legislature.

Which was adopted.

By Mr. Gibson—

Resolved, That the thanks of this Senate are due, and are hereby tendered, to Hon. Thos. P. Porter, Speaker of the Senate, for the able and impartial manner in which he has discharged the duties of Speaker.

Which was adopted.

By Mr. Grover—

Resolved, That the thanks of the Senate are due, and are hereby tendered, to S. C. Sayres and G. W. Lewis, for the accurate and impartial manner in which they have discharged the duties of Reporters to the Senate during the present session.

Which was adopted.

By Mr. Alexander—

Resolved, That the thanks of the Senate are hereby tendered to Jno. C. Wickliffe and J. H. Johnson, Esqs., Clerk and Assistant Clerk of the Senate, for the faithful and impartial manner in which they have discharged their duties during this session.

Which was adopted.

By Mr. Fisk—

Resolved, That the thanks of the Senate are hereby tendered to the Pages of this House, J. W. Pruett, jr., and Chas. T. Campbell, for the prompt manner in which they have discharged their duty.

Which was adopted.

By Mr. Haycraft—

Resolved, That the thanks of the Senate are tendered to the several Ministers of the Gospel who have opened our daily meetings during the session.

Which was adopted.

By Mr. Fisk—

Resolved, That the thanks of the Senate are tendered to the Sergeant-at-Arms, the Door-Keeper, and Enrolling Clerk, J. J. Roberts, for the prompt manner in which they have discharged their respective duties.

Which was adopted.

On motion of Mr. Andrews,

Ordered, That the Public Printer forthwith print 150 copies of the communication of the Governor yesterday containing the ordinance of secession of Louisiana, transmitted to him by the Governor of said State, as follows, viz :

EXECUTIVE OFFICE,
Baton Rouge, La., Jan. 28th, 1861. }

To His Excellency, B. MAGOFFIN, Governor of the State of Kentucky :

SIR : I have the honor to inclose you herewith a copy of the Ordinance of Secession, passed on the 26th instant, by the people of

Louisiana, in Convention assembled; and also a copy of a resolution relative to the free navigation of the Mississippi river, which, upon the same day, was unanimously adopted by the convention.

I have the honor to be your obedient servant,

THO. O. MOORE,
Governor of the State of Louisiana.

Ordinance to dissolve the Union between the State of Louisiana and other States united with her, under the compact entitled "Constitution of the United States of America."

We, the people of the State of Louisiana, in Convention assembled, do declare and ordain, and it is hereby declared and ordained, That the ordinance passed by us in Convention, on the 22d day of November, in the year 1811, whereby the Constitution of the United States of America, and the amendments of said Constitution were adopted; and all laws and ordinances by which the State of Louisiana became a member of the Federal Union, be, and the same are hereby, repealed and abrogated; and that the union now subsisting between Louisiana and other States, under the name of "The United States of America," is hereby dissolved.

We do further declare and ordain, That the State of Louisiana hereby resumes all rights and powers heretofore delegated to the Government of the United States of America; that her citizens are absolved from all allegiance to said Government, and that she is in full possession and exercise of all those rights of sovereignty which appertain to a free and independent State.

We do further declare and ordain, That all rights acquired and vested under the Constitution of the United States, or any act of Congress, or treaty, or under any law of this State, and not incompatible with this ordinance, shall remain in force, and have the same effect as if this ordinance had not been passed.

Resolution relative to the navigation of the Mississippi river.

Resolved, That we, the people of the State of Louisiana, recognize the right of the free navigation of the Mississippi river and its tributaries, by all friendly States bordering thereon. And we also recognize the right of egress and ingress of the mouths of the Mississippi by all friendly States and powers; and we do hereby declare our willingness to enter into any stipulations to guarantee the exercise of said rights.

The following communication was received from the Governor by the hands of Thos. B. Monroe, jr., Secretary of State, viz:

EXECUTIVE DEPARTMENT, }
February 11, 1861. }

Gentlemen of the Senate:

I nominate, for your advice and consent, James S. Whitaker, to be a Notary Public for Shelby county.

B. MAGOFFIN.

Said communication was read, and, on motion of Mr. Andrews,
Ordered, That the Senate advise and consent to the nomination of
Notary Public therein made, and also to those made on yesterday.

On motion of Mr. Fisk, a committee was appointed to ask leave of
the House of Representatives to withdraw the consent of the Senate
to the passage of a bill originating in the House of Representatives, of
the following title, viz:

An act to amend an act entitled, "An act to incorporate the Verona
and Morningview turnpike road company.

Mr. Fisk was appointed as said committee, who retired, and in a
short time returned, and informed the Senate that the committee had
discharged the duties assigned, laid the bill upon the table of the Sec-
retary, and was discharged.

Messrs. Andrews and Fisk moved to reconsider the vote by which
said bill passed the Senate.

Ordered, That said vote be, and the same is hereby, reconsidered.

Mr. Glenn, from the Committee on Enrollments, reported that they
had examined sundry enrolled bills originating in the Senate, of the
following titles, viz: and that they were correctly enrolled:

An act to amend an act, entitled "An act for incorporating the
Salem Academy."

An act to repeal all laws authorizing the holding of circuit courts
in Ohio county prior to the 1st of July, 1861.

An act to amend the charters of the banks of Kentucky,

An act to amend an act requiring trustees, &c., in certain cases, to
execute bonds.

An act allowing further time to the sheriffs for the benefit of tax-
payers.

An act to incorporate the Carlisle Cemetery Company.

An act to amend an act incorporating the Williamstown Academy.

An act to amend the charter of Owenton.

An act to amend the charter of the Lexington and Southern Ken-
tucky railroad company.

An act to authorize circuit and equity courts to have entered of
record certain orders for the sale of estates of infants and married
women in certain cases.

An act to incorporate the American Workingmen's Benevolent Asso-
ciation of Covington.

An act appointing Commissioners to view and mark the boundary line of Wolfe county.

An act for the benefit of the Carlisle and Sharpsburg turnpike road company.

An act to amend the charter of Rochester.

An act for the benefit of Springfield.

An act for the benefit of Wm. G. Harrison and Anderson Graves.

An act for the benefit of W. H. Middleton.

An act to amend chapter 86 of the Revised Statutes.

An act changing the time of holding the Bullitt county court.

An act for the benefit of the sureties of John G. Pickens, late sheriff of Clinton county.

An act to amend the charter of the Masonic Publication Association.

An act to establish an equity and criminal court in the county of Ballard.

An act to incorporate the Presbyterian Church of Greenupsburg.

An act to amend the charter of the city of Covington.

An act to change the time of holding the spring term of the Oldham circuit court for 1861.

Resolutions concerning geological specimens belonging to the State.

Also, enrolled bills and a resolution which originated in the House of Representatives, of the following titles, viz :

An act declaring Licking river a navigable stream from Licking Station to the Trace branch.

An act for the appropriation of money.

An act for the benefit of Richard M. Moore.

An act for the benefit of the Bank of Louisville and other banks.

An act to amend the charter of the Merchants' Deposit Bank of Danville.

An act to incorporate the Planters' Bank of Henderson.

An act to incorporate the Deposit Bank of New Liberty.

An act for the benefit of E. G. Wright, late marshal of Mt. Sterling, and his securities.

An act to establish an additional voting precinct in Larue county.

An act repealing an act providing for the payment of the public debt of Greenup county.

An act concerning police and city courts, and fees of county attorneys.

- An act to incorporate the town of Pitt's Point.
- An act to allow non-resident aliens who are heirs and devisees to hold and convey real estate.
- An act to change the time of holding quarterly courts in Jackson county, and to legalize proceedings of said court.
- An act to discontinue a portion of the State road in Kenton county.
- An act for the benefit of Barboursville, Williamsburg, London, and Mt. Vernon.
- An act to establish and incorporate the town of Hardyville.
- An act to incorporate the Book and Tract Society of the M. E. Church South.
- An act authorizing trustees of Baptist church in Shelbyville to sell certain real estate.
- An act for the benefit of the Presbyterian church at Mt. Sterling.
- An act for the benefit of W. A. L. B. Sharp, late sheriff of Estill county.
- An act to amend the charter of the Bryantsville and Cane Run turnpike road company.
- An act changing the time of holding the Greenup quarterly court.
- An act to amend an act for the benefit of the trustees and citizens of the town of London.
- An act to incorporate the Bowling-Green Gas Company.
- An act to incorporate Harmony Lodge No. 302 of Free and Accepted Masons.
- An act for the benefit of Pleasant Conway, of Caldwell county.
- Resolutions relative to the Hon. R. P. Letcher.
- Whereupon the Speaker affixed his signature thereto, and they were returned to the committee to be presented to the Governor for his signature.
- A message from the Governor was received by the hands of Hon. Thomas B. Monroe, jr., announcing that he had signed and approved sundry enrolled bills originating in the Senate, of the following titles, viz :
- An act to incorporate the LaGrange Female Academy.
- An act to amend an act, entitled "An act to amend the charter of the city of Louisville," approved February 28, 1861.
- An act regulating the time of holding the circuit courts in Calloway and Marshall counties.

An act repealing all laws authorizing the holding of circuit courts in Ohio county prior to the 1st of July, 1861.

An act to change the time of holding the spring term of the Oldham circuit court for 1861.

An act to amend an act, entitled "An act requiring trustees, &c., to execute bond in certain cases," approved March 2d, 1861.

And then the Senate adjourned, to meet again on the 20th day of March next, at 12 o'clock, M.

WEDNESDAY, MARCH 20, 1861.

The Speaker laid before the Senate the following communication, viz:

FRANKFORT, Ky., March 20, 1861.

To Hon. THOS. P. PORTER, Speaker Kentucky Senate:

In obedience to a resolution of the committee of arrangements, appointed at a meeting of the citizens of Franklin county, on yesterday, I have the honor, and at the same time the pleasure, of inviting you, as well as all the members and officers of the Senate of Kentucky, to meet the citizens of Frankfort, and Franklin county, at the railroad depot, at 3 o'clock, this evening, for the purpose of receiving and welcoming our distinguished fellow-citizen, Hon. John J. Crittenden, to his home and friends in this place.

By order of the committee.

P. DUDLEY, Chairman.

Under a suspension of the rules of the Senate, Mr. Andrews offered the following resolution, viz:

Resolved by the Senate, That it accepts the invitation tendered by the city authorities of Frankfort, to meet the citizens of Frankfort and Franklin county at the railroad depot, at 3 o'clock this afternoon, for the purpose of receiving and welcoming the return home of our distinguished fellow-citizen, Hon. John J. Crittenden; and

Resolved further, That the Senate re-assemble this day in the Senate Chamber, at half-past two o'clock, and proceed in a body accompanied by its officers, to the railroad depot, for the purpose indicated in the first resolution.

Which was adopted.

1. Mr. Andrews presented the petition of Isaac E. Johnson and James A. Hawkins, praying the passage of an act for their benefit.
2. Mr. Prall presented the petition of sundry citizens of the town of Owingsville, praying the passage of an act for their benefit.
3. Mr. Prall presented the petition of Elizabeth A. Martin, Rebecca Parker, and Mrs. Zachariah Doty, praying the passage of an act authorizing the sale of the Christian church at Parker's stand, in Bourbon county, and that the proceeds be appropriated to the Orphans' Asylum at Midway.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Finance; the 2d and 3d to the Committee on the Judiciary.

Mr. Fisk offered the following resolution, viz:

WHEREAS, The Treasury is exhausted, and from the fact that this is an extra session, and that another Legislature is so soon to be elected, it is our duty to complete the business now before us, and adjourn at as early a day as possible; therefore,

Resolved, That during the remainder of the session, the Senate will hold three sessions per day.

Resolved, That the 1st session shall begin at 9 o'clock, and adjourn at half-past one; that the second session shall begin at 3 o'clock, and adjourn at six; that the 3d session shall begin at half-past 7 o'clock, and adjourn at the pleasure of the Senate.

Resolved, That it is inexpedient to begin any new business after the 22d day of this month.

Ordered, That the further consideration of said resolution be postponed until to-morrow, and that the Public Printer forthwith print 150 copies of the same for the use of the members of the General Assembly.

Mr. Andrews, from the Committee on the Judiciary, reported bills of the following titles, viz:

A bill for the benefit of the Christian church at Parker's stand.

A bill to amend the charter of the town of Owingsville.

A bill for the benefit of the Presbyterian church at Paris.

By Mr. Barrick, from the Committee on Education—

A bill for the benefit of the trustees of school district No. 37, in Ballard county.

A bill to change school district No. 9, in Madison county.

A bill for the benefit of school district No. 36, in Livingston county.

A bill for the benefit of the common school commissioner of Daviess county.

By Mr. Fisk, from the Committee on the Revised Statutes—

A bill to amend the charter of the Mechanics' Institute of Louisville.

Which were read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bills having been dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of said bills having been dispensed with, and the same being engrossed,

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Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Cissell, from the Committee on the Judiciary, to whom had been referred a bill originating in the House of Representatives, of the following title, viz:

An act to authorize the election of a police judge in the town of Irvine,

Reported the same with an amendment,

Which was concurred in.

Ordered, That said bill, as amended, be read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Fisk, from the Committee on the Revised Statutes, to whom had been referred bills originating in the House of Representatives, of the following titles, viz:

1. An act to legalize acknowledgment of deeds taken before the mayors of Newport.

2. An act to amend chapter 86, of the Revised Statutes.

Ordered, That the first be read a third time, and that the Public Printer forthwith print 150 copies of the second for the use of the members of the General Assembly, and that it be placed in the orders of the day.

The rule of the Senate, constitutional provision, and third reading of the first named bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Barrick, from the Committee on Education, to whom had been referred a bill originating in the House of Representatives, of the following title, viz:

An act to incorporate the Bloomfield Female Collegiate Institute,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Fisk, from the Committee on the Revised Statutes, asked to be discharged from the further consideration of the following leave, viz:

Leave is asked to bring in a bill to repeal the law authorizing the supervision of the books of the assessors of tax.

And the question being taken on discharging said committee, it was decided in the negative.

Ordered, That the committee prepare and bring in a bill in accordance with said leave.

Mr. Pennebaker, from the Committee on the Revised Statutes, reported a bill of the following title, viz:

A bill to amend the charter of the city of Louisville, approved March 24, 1851.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bill being dispensed with,

Mr. Grover moved that said bill be printed and placed in the orders of the day,

And the question being taken on said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Grover and Pennebaker, were as follows, viz:

Those who voted in the affirmative, were—

| | |
|--------------------------------------|----------------------|
| Mr. Speaker, (Porter,) J. E. Gibson, | Samuel H. Jenkins, |
| William T. Anthony, Asa P. Grover, | William H. McBrayer, |
| Charles Chambers, Thomas S. Grundy, | Cyrenius Wait—11. |
| Benjamin P. Cissell, John L. Irvin, | |

Those who voted in the negative, were—

| | |
|--------------------------------------|-------------------|
| Landaff W. Andrews, John F. Fisk, | John A. Prall, |
| James R. Barrick, Samuel Haycraft, | Albert G. Rhea, |
| John B. Bruner, John M. Johnson, | L. H. Rousseau, |
| Samuel E. DeHaven, C. D. Pennebaker, | James Simpson—13. |
| George Denny, | |

Ordered, That said bill be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

By same—

A bill to amend the charter of the Falls City Marine Institute.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bill having been dispensed with,

Ordered, That said bill be placed in the orders of the day.

Under a suspension of the rules of the Senate, the following joint resolutions were read and laid on the table:

By Mr. Simpson—

WHEREAS, The following amendment to the Constitution of the United States has been proposed by Congress to the Legislatures of the several States for their ratification, viz :

"No amendment of this Constitution, having for its object any interference, within the States, with the relation between their citizens and those described in section second of the first article of the Constitution as '*all other persons*', shall originate with any State that does not recognize that relation within its own limits, or shall be valid without the assent of every one of the States composing the Union.

"No amendment shall be made to the Constitution which will authorize or give Congress power to abolish or interfere, within any State, with the domestic institutions thereof, including that of persons held to labor or service by the laws of said States."

AND WHEREAS, Said proposed amendment, although it fails to secure to the slave States all the rights to which they are justly entitled, and therefore cannot be received or treated by them as an adjustment of existing difficulties, does remove one cause of apprehended danger, and evinces a disposition on the part of the people of the North to make some advances towards a reconciliation with their Southern brethren, and may, and it is hoped will, lead, in a spirit of concession and compromise, to its final consummation ; therefore,

Resolved by the General Assembly of the Commonwealth of Kentucky, That the aforesaid proposed amendment to the Constitution of the United States be, and the same is hereby, ratified by this Legislature.

Resolved, That the Governor of this State be, and he is hereby, directed to forward a copy of these resolutions, and the preamble thereto, to the President of the United States, with a request that he will communicate the same to Congress when it next convenes.

By Mr. Chambers—

Resolved by the General Assembly of the Commonwealth of Kentucky, That the State of Kentucky invites her sister States, Delaware, Maryland, Virginia, North Carolina, Tennessee, Arkansas, and Missouri, or such of them as shall appoint commissioners for that purpose, to meet her in convention at the Capitol, in the city of Frankfort, on Monday, the 27th day of May, 1861, to take into consideration and agree upon

an ultimatum and a concerted course of action upon the part of said States with regard to the troubles and difficulties which distract and afflict our country.

Resolved, That Gen. Wm. O. Butler, and Hon. Joshua F. Bell, and the Hon. Arch. Dixon, be, and they are hereby, appointed commissioners on the part of the State of Kentucky, to meet and act with the commissioners from the other States, at the time and place, and upon the business mentioned in the first resolution.

Resolved, That when the Senate and House adjourn on Friday, the 22d inst., it shall be an adjournment *sine die*.

By Mr. Prall—

Resolved by the General Assembly of the Commonwealth of Kentucky, That with a view to earnest consultation and concert of action among those identified in interest and destiny, we invite the border slaveholding States, including North Carolina, Tennessee, and Arkansas, by their delegates, to meet delegates from Kentucky in convention, at the city of Frankfort, on the fourth Monday in May next.

Resolved, That in each of the precincts at the election to be held on the first Saturday in May next, a poll shall be opened for the election of delegates to said convention, and one delegate shall be elected by the voters of each congressional district, subject to all the laws regulating the election of members of Congress.

Resolved, That the Governor be requested immediately to communicate copies of the foregoing resolutions to the Governors of the aforesaid States.

Ordered, That the Public Printer forthwith print 150 copies of each of said resolutions for the use of the members of the General Assembly.

Mr. Irvin offered the following resolution, viz:

Resolved, That the Committee on Finance be, and they are hereby, instructed to inquire into the expediency of passing a law requiring non-resident landholders to list their lands for taxation in the county in which the same lies, and that they report by bill or otherwise.

Which was adopted.

Leave was granted to bring in bills of the following titles, viz:

On motion of Mr. Andrews—1. A bill to amend the charter of the town of Carlisle.

On motion of same—2. A bill regulating the terms of the circuit courts.

On motion of Mr. Pennebaker—3. A bill to amend the charter of Uniontown.

On motion of Mr. Andrews—4. A bill to amend the Civil Code of Practice.

On motion of Mr. Haycraft—5. A bill allowing the jailer of Hardin county to appoint a deputy.

On motion of Mr. Denny—6. A bill authorizing the county judge of Garrard to change the voting place in Brandy Spring district.

On motion of Mr. Pennebaker—7. A bill to amend the charter of the Galt House Company.

On motion of same—8. A bill to amend the execution laws.

On motion of Mr. Irvan—9. A bill for the benefit of M. H. Eggner, of Marshall county.

On motion of same—10. A bill for the benefit of G. S. Jones, of Marshall county.

On motion of Mr. Pennebaker—11. A bill to repeal the law allowing an attorney's fee of five dollars on warrants in the Louisville city court.

On motion of Mr. Johnson—12. A bill to amend the charter of the Paducah Marine, Fire, and Life Insurance Company.

Ordered, That the Committee on the Judiciary prepare and bring in the 1st, 3d, 11th, and 12th; the Committee on Circuit Courts the 2d; the Committee on the Codes of Practice the 4th; the 5th to a select committee composed of Messrs. Haycraft, Andrews, and Simpson; the Committee on Printing and Elections the 6th; the Committee on the Revised Statutes the 7th and 8th, and the Committee on County Courts the 9th and 10th.

A message was received from the House of Representatives, announcing that they had passed a bill of the following title, viz:

An act to repeal an act, entitled "An act for the benefit of the Taylorsville and Mount Eden turnpike road."

And then the Senate adjourned.

THURSDAY, MARCH 21, 1861.

The Speaker laid before the Senate the report of the Attorney General, in response to a resolution passed by the Senate at a former day of the session.

Said report is as follows, viz :

To the General Assembly of the Commonwealth of Kentucky:

In obedience to a joint resolution of your honorable body, approved February 14th, 1861, directing me, as Attorney General of the Commonwealth, to adopt such measures, by suit or otherwise, as in my judgment may seem proper to obtain for the State the immediate possession of the geological specimens, minerals, &c., in possession or under the control of the late D. D. Owen, State Geologist, at the time of his death, and which are the property of this State, and to report my action to the General Assembly, the undersigned begs leave to report—

That he opened a correspondence with the administrator of Dr. D. D. Owen, soon after the approval of the resolution, touching the matter therein contemplated, from which it appears that the geological specimens belonging to the State which were in possession of Dr. D. D. Owen at the time of his death, are in a large building belonging to the estate of the late Geologist, at or near New Harmony, Indiana, in boxes, imperfectly labeled, not claimed by the administrator, but admitted by him to belong to the State of Kentucky, having been set apart by Mr. Edward Cox, one of the appraisers of Dr. Owen's estate, and who was an Assistant Geologist during Dr. Owen's service for Kentucky, and separated from the effects of Dr. Owen; and, so far as appears from anything in the correspondence, it will not be necessary to institute any suit to obtain possession of the same; the administrator professes his readiness at any time to put the boxes upon a conveyance which may be procured to bring them to our capital; and I have every reason to hope that the object of the resolution will be accomplished in a short time.

There will be incidental expenses, viz: Freight on the specimens; compensation to Mr. Cox for labeling them, if it is thought proper that this should be done, and perhaps other small items of expense, which should be provided for by an appropriation of about \$50.

I submit herewith, as part of this report, the correspondence marked A, B, C, D, E, F.

A. J. JAMES, *Attorney General.*

MARCH 20, 1861.

[A—Copy.]

FRANKFORT, Ky., Feb. 22, 1861.

R. Dale Owen, Esq.:

DEAR SIR: By a joint resolution of the Legislature of Kentucky, approved 14th of this instant, it is made my duty, as Attorney General of the State, "to adopt such measures, by suit or otherwise, as in [my] judgment shall be proper, to obtain for the State the immediate possession of the geological specimens, minerals, &c., in possession, or under the control, of the late D. D. Owen, State Geologist, at the time of his death, and which are the property of this State; and that said Attorney General report his proceedings," &c.

It is a matter about which I know but little, but have understood you were the administrator of the late D. D. Owen. I do not even know whether there is any diversity of opinion as to the rights of the State.

The object of this is to make inquiry of you whether there is, under your control or within your knowledge, any geological specimens or minerals belonging to the State of Kentucky, lately in the possession of D. D. Owen, deceased. My desire is to effect the object contemplated in the resolution as speedily as possible, and with as little inconvenience to parties concerned as the same can be done.

Yours, very truly,

A. J. JAMES.

[B.]

NEW HARMONY, IND., March 5, 1861.

DEAR SIR: After an absence from home of three weeks, I have just received yours of February 22.

It is my brother, Dr. Richard Owen, (residing here,) not myself, who is administrator on the estate of my deceased brother, Dr. David Dale Owen.

Having been absent in Europe for the last seven years, and knowing nothing whatever personally of the matter referred to, I handed your letter to Dr. Richard Owen, and spoke to him on the subject.

I was much surprised to learn, that the very first notice he had of any demand whatever by the State of Kentucky for minerals, &c., now in the cabinet of my deceased brother, was through a newspaper containing legislative proceedings of a character to cast an imputation either on the deceased or on his administrator. Neither by letter nor verbally; neither directly nor indirectly, had it been previously intimated to him that the State desired possession of any such property, nor had even an explanation or inquiry been asked or made. I am sure you will agree with me that such proceedings are wholly out of place and unjustifiable.

Dr. Richard Owen, not having been connected with the survey in any way, had to trust for his information, in regard to the matter in question, to a gentleman who was formerly an Assistant Geologist in your survey, and afterwards in the survey of Arkansas, and through

whose hands all the specimens passed, Mr. Edward Cox, residing here. On receipt of the newspaper referred to, he immediately applied to him, and learned that there were minerals, &c., to which the State was entitled, and which had been set apart subject to her order, though not, as I understood, to any very great amount; but which, at any time, by a simple request to forward, could have been, as they can now be, obtained. These, I presume, it was the intention of my deceased brother to have sent or taken, and arranged at Frankfort; along with others which, a few years since, he so took and arranged.

My brother Richard will write to you further on the subject.

I am, dear sir, truly yours,

ROBERT DALE OWEN.

HON. A. J. JAMES.

[C—Copy.]

FRANKFORT, March 11, 1861.

Dr. Richard Owen:

DEAR SIR: Having been informed that your brother, R. D. Owen, was administrator of the estate of the late Dr. D. D. Owen, I addressed a letter to him, which he informs me he showed to you. I learn from him that you are the administrator. The substance of the joint resolution of the Kentucky Legislature under which I act, is quoted in my letter to your brother. The resolution also makes it my duty to report to the Legislature, which I desire to do at their adjourned session, which meets on the 20th inst. I hope you will not regard the recent legislative proceeding, resulting in the resolution above referred to, as a reflection on the character of either yourself or your deceased brother. I should not have thought of such a thing but for the apprehension expressed in your brother Robert's letter to me. There was no officer or agent of our State whose duty it was to look after the matter, hence a proceeding by the Legislature was the first thing that could be done in order to have some person authorized by the State to correspond with you on the subject. I take pleasure in bearing testimony that the acquaintance I had with Dr. D. D. Owen whilst in the service of our State utterly contradicts the supposition that he ever for a moment contemplated diverting from the State of Kentucky the geological specimens, &c., which he was bound by law to forward to the Governor. The state of case that exists, no doubt, was produced by his untimely death, which took place before he had fully completed his work for Kentucky.

I desire to say to you that any geological specimens, &c., which remained with Dr. D. D. Owen at the time of his death, belonging to the State of Kentucky, and which may be under your control as his personal representative, be pleased to have them carefully boxed and directed and forwarded to me at this place, with a statement from Mr. Edward Cox that the same are all that remain as aforesaid, and when they come to hand I will receipt you. If Mr. Cox can do so, please have him to send with the specimens such explanatory references and

information as will be necessary to understand them, if no such information is already attached to them. You will see, by reference to the law under which Dr. D. D. Owen was acting for Kentucky; (2 *Stanton's Revised Statutes*, page 544,) that he was required to forward the specimens to the Governor. The recent resolution is so far a modification of the former law as to require them to be forwarded to me, as Attorney General for the State.

The reason why I request Mr. Cox's statement is, that your brother, Robert Dale Owen, in his letter to me, mentions that your only information touching the matter was derived recently from Mr. Cox; and I know Mr. Cox was with Dr. D. D. O. during his services for Kentucky, and probably knows more about the matter than any other person.

I send herewith, as a voucher for you to justify your action in the matter in a settlement of your brother's estate, a copy of the resolution, and would suggest in this connection that you retain a duplicate of Mr. Cox's statement, which, to answer your purpose of settlement of the estate, if your State laws are like ours, should be sworn to before a justice or notary public.

Yours, respectfully,

A. J. JAMES, Attorney General Ky.

[D.]

NEW HARMONY, IND., March 7, 1861.

Hon. A. J. James, Attorney General:

DEAR SIR: My brother, Robert Dale Owen, handed me a letter from you, written in accordance with the joint resolution of the Kentucky Legislature, approved 14th instant, regarding the specimens belonging to the State of Kentucky, and now in my possession, as administrator on the estate of the late State Geologist, my deceased brother, Dr. D. D. Owen.

As soon as a copy of the "Yeoman" was sent me, containing these resolutions, I wrote to Hon. Mr. Rust, Chairman of Committee on Geological Survey, explaining all that I knew regarding the transaction. I received no answer—probably because the Legislature adjourned about that period.

I feel confident that my late brother complied with the law, and that, although there may be specimens yet on hand, which were required for reference in preparing the Report, they were never asked for from my brother—otherwise they would have been promptly sent. As administrator, I never received the slightest intimation of such a wish; therefore the resolution requiring a suit, if necessary, seems to me premature, and unjust to the memory of my late brother, who wore himself out in the faithful discharge of these and similar duties. The resolution was doubtless the result of some false information rendered to the Legislature; therefore I never attached any blame to their action.

Mr. Cox, formerly Assistant in the Survey, was one of the sworn appraisers, and exempted from schedule some boxes of specimens collected for Kentucky. There is, however, but little here, so far as I can

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ascertain, of value or interest belonging to the State. Whatever I can identify as so pertaining, can be ready, at any moment, for shipment to Frankfort.

My late brother, some months before his death, forwarded to the Auditor vouchers for money, either already expended or due Assistants and employees for work, to the amount of about \$1,200. No money was ever received on these vouchers by him or myself. I wrote last fall to Governor Magoffin for permission to sell some mules and other property belonging to Kentucky, and to pay the indebtedness as far as the proceeds would go. I never received any answer. The MSS. of all the results at the close of the Survey, the illustrative drawings, maps, &c., have been in the hands of the Public Printer since October last, thus fulfilling all implied conditions on that subject.

I do not wish to convey the idea that any one is to blame in these transactions; but, at least, it must be evident, I think, that my late brother fulfilled his duty, and that I, as administrator, have, thus far, correctly discharged mine.

Should no authority to sell, and no funds be sent shortly, I shall consider it my further duty, rather than to have the property incur additional expense for keep, or become wasted, to sell on the best terms I can realize, and pay the liabilities, *pro rata*, as far as the funds will suffice.

Hoping that these explanations, in addition to those contained in the letter of my brother, Robert Dale Owen, will furnish a satisfactory reply to your very courteous letter,

I am, very respectfully,

RICHARD OWEN, *Administrator.*

P. S.—If the specimens here—which, I may mention, have the localities marked, but are not otherwise named or labeled—are to be shipped to Frankfort, you will do me a favor by designating the exact address and mode of shipment, so as to lessen my responsibilities. If to be sent to *Louisville*, I would wish express written authority, which I could preserve, as I have been informed that such disposition of them is not in accordance with the original provisions of the “act” providing for the Geological Survey.

R. OWEN.

[E.]

NEW HARMONY, IND., 15th March, 1861.

Hon. A. J. James, Attorney General Kentucky:

DEAR SIR: In reply to your favor of 11th inst., just received, I hasten to say, (although I wrote a letter soon after my brother's, which you had not received at that date), that I will commence the work as you desire, the first day the weather permits. The specimens, Mr. Cox informs me, are in boxes in the upper story of my brother's large building, (formerly a stone granary), which there is no means of warming, and as the weather is cold, and I have been unwell lately with chill and fever, and desire to superintend, if not to perform the work

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myself, I would not like to risk the building, which is very damp, the walls being nearly three feet thick, until a warm day.

Meantime, my chief object in writing is to say that Mr. Cox, being sworn appraiser, and knowing that these boxes belonged to Kentucky, did not include them in the inventory; therefore, there is no difficulty on that score. But he says, further, that many of them have only a single label of the locality for perhaps a dozen specimens.

He knows the names of most of them, generically and specifically, and if he were justified by a remuneration for the labor, would undertake to label carefully and wrap each specimen. Of course, as administrator, I would wrap and box, and place on the wagons for Mt. Vernon, all the property of Kentucky free of charge. But if there is a fund, out of which \$20, or at most \$25, could be paid to Mr. Cox for thus specifically labeling them, I think it would be money well expended, and would make the collection much more valuable.

He thinks it might occupy him a week; and although in the survey he received \$4 per day for his services, he would perform this at the rate of \$3, if you consent. He would in that case forward his receipt as a voucher, and it would probably not exceed \$18.

Having to report by the 20th, there is no time to lose if the specimens should be actually there as soon after that date as practicable; but perhaps, if the Legislature were assured that the specimens were being labeled and packed as rapidly as circumstances permitted, and no obstacles in the way of their delivery, it might prove satisfactory.

Meantime, as remarked, I will not delay using the first suitable day to commence the work and carry it to completion. Hoping to receive a few lines,

I am, very respectfully,

RICHARD OWEN, *Administrator.*

P. S.—I neglected to mention that Dr. R. Peter, of Lexington, wrote me a few days since on this subject, and informed me he had notified Mr. Rust, as chairman, that he had on hand a good many specimens, and especially soils in bottles; also that Mr. Lyon, of Jeffersonville, had a considerable number, all of which would have been sent had there been room; but that the place appropriated being filled, they had delayed, hoping additional space would be given, or words of similar import.

R. OWEN.

[F—Copy.]

FRANKFORT, March 20, 1861.

Dr. Richard Owen:

DEAR SIR: There is no fund provided for the payment of Mr. Cox. I will suggest the matter of his compensation to the chairman of Committee on Geological Survey, and lay your letter on that subject before the committee, and if any appropriation is made to that object I will advise you. I am not authorized now, by any law or resolution, to promise Mr. C. compensation. If he does anything, he must risk the Legislature for his pay.

Yours, respectfully,

A. J. JAMES.

Ordered, That the Public Printer forthwith print 150 copies of the same for the use of the members of the General Assembly.

1. Mr. Gibson presented the petition of sundry citizens of the county of Harlan, praying the passage of an act for their benefit.

2. Mr. Barrick presented the petition of sundry citizens of Metcalfe county, praying that the spring term of the circuit court of said county, for the year 1861, might be abolished.

3. Mr. Pennebaker presented the petition of the Galt House Company, praying an amendment to their charter.

4. Mr. Gibson presented the petition of sundry citizens of Harlan county, praying the passage of an act for the benefit of the trustees of school district No. 10, in said county,

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Internal Improvements; the 2d to the Committee on Circuit Courts; the 3d to the Committee on the Revised Statutes, and the 4th to the Committee on Education.

Mr. Pennebaker, from the Committee on the Revised Statutes, reported bills of the following titles, viz:

A bill to amend the charter of the Louisville and Nashville railroad company.

A bill to amend the charter of the Galt House Company.

A bill to amend the law with regard to the city courts of Louisville.

A bill to define the southern tax limits of the city of Louisville.

A bill for the benefit of the administrator of Joseph Barnett.

Which were read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bills having been dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of said bills having been dispensed with, and the same having been engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Pennebaker, from the same committee, reported a bill of the following title, viz:

A bill to establish a conventional rate of interest,

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bill having been dispensed with,

Ordered, That the Public Printer forthwith print 150 copies of said bill for the use of the members of the General Assembly, and that the further consideration of said bill be postponed until to-morrow at 11 o'clock, A. M.

Mr. Fisk reported bills of the following titles, viz :

A bill to repeal all laws creating a board of supervisors of tax, and to re-enact section 1, article 7, chapter 83 of the Revised Statutes.

A bill to repeal an act, entitled "An act to appropriate money to the Eastern and Western Lunatic Asylums," approved February 9, 1861,

Which were read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bills having been dispensed with,

Ordered, That the Public Printer forthwith print 150 copies of each of said bills for the use of the members of the General Assembly, and that the first be placed in the orders of the day, and that the further consideration of the second be postponed until to-morrow at half-past 10 o'clock, A. M.

Mr. Fisk, from the same committee, reported House bills of the following titles, viz :

An act to incorporate the Campbellburg Mutual Insurance Company.

An act authorizing the reindexing of certain deed books by the clerk of the Graves county court,

With an amendment to each of said bills,

Which were concurred in.

Ordered, That said bills, as amended, be read a third time.

The rule of the Senate, constitutional provision, and third reading of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

On motion of Pennebaker, the rules were suspended to take up from the orders of the day a bill of the following title, viz :

A bill to amend the charter of the Falls City Marine Institute.

Ordered, That said bill be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with, and the same having been engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Under a suspension of the rules, Mr. Fisk offered the following resolution, viz :

Resolved, That the President of the Board of Internal Improvement be instructed to examine, *in person*, the locks, the loose stone, real estate, and other property belonging to the State on Licking river, and report to the next General Assembly what disposition should be made of said property.

Which was adopted.

A message was received from the House of Representatives, announcing that they had passed bills of the following titles, viz :

An act for the benefit of school district No. 48, in Pulaski county.

An act in relation to the town of Harrodsburg.

An act for the benefit of Fanny Cerf.

Mr. Glenn, from the Committee on Agriculture and Manufactures, to whom had been referred a bill of the House of Representatives of the following title, viz :

An act to incorporate the Beargrass Packing and Manufacturing Company,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills of the following titles were reported, viz :

By Mr. Haycraft, from a select committee—

A bill to authorize the jailer of Hardin county to appoint a deputy.

By Mr. Andrews, from the Committee on the Judiciary—

A bill to amend the charter of Carlisle.

A bill to incorporate the city of Paris.

By Mr. Grundy, from the Committee on Propositions and Grievances—

A bill to change the line between the Bethel and Wyoming precincts, in Bath county.

By Mr. Irvin, from the Committee on Privileges and Elections—

A bill to authorize the county judge of Garrard county to change the place of voting in precinct No. 1,

Which were read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bills having been dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of said bills having been dispensed with, and the same having been engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Cissell, from the Committee on the Judiciary, to whom had been referred a bill originating in the House of Representatives of the following title, viz :

An act to increase the revenue by imposing a tax upon the business of express companies, railroads, and steamboats,

Reported the same, with an expression of opinion that said bill ought to be rejected.

Ordered, That said bill be rejected.

By same—

An act to legalize the conveyances made to R. S. C. Alexander for lands on the waters of Green river,

With sundry amendments thereto, which were adopted.

Ordered, That said bill, as amended, be read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. DeHaven, from the Committee on Finance, to whom was referred bills of the House of Representatives, of the following titles, viz :

An act for the benefit of Mrs. Mary Haviland.

An act for the benefit of Elijah L Wisdom and Green Atwell.

An act for the benefit of William T. Moren.

An act for the benefit of Wm. F. Quinn.

An act for the benefit of the late sheriffs of Greenup, Carter, and Lawrence counties.

An act for the benefit of Wm. McGowan and Q. V. Dewey.

Reported the same without amendments.

Which were read a third time.

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. DeHaven, from the Committee on Finance, asked to be discharged from the further consideration of the petition of Joseph H. Hill and others, asking the passage of a law authorizing the banks to issue additional circulation redeemable in two years.

And so said committee was discharged.

Mr. DeHaven, from the same committee, by the instruction of the Senate, reported a bill of the following title, viz:

A bill extending the time of offering a reward for the discovery of the milk-sickness.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bill having been dispensed with,

Mr. Gibson moved the previous question.

And the question being taken "Shall the main question be now put?"

It was decided in the affirmative.

Ordered, That said bill be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with, and the same having been engrossed,

The question was taken on its passage, and it was decided in the affirmative.

Said bill is as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the act, entitled "An act to amend and continue in force an act offering a reward for the discovery of the disease called milk-sickness," approved February 18, 1841, be, and is hereby, re-enacted and continued in force for five years from this date.

§ 2. *Be it further enacted*, That Dr. Wm. Y. Singleton, of Hardsburg, be substituted in the place of Dr. Charles Sebastian, now deceased, who was named in the original and above recited acts.

§ 3. This shall be in force from its passage.

The yeas and nays being required on the passage of said bill, were as follows, viz:

Those who voted in the affirmative, were—

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|--|------------------------------------|---------------------------------|
| Mr. Speaker, (Porter,) Wm. T. Anthony, | Thomas S. Grundy, Samuel Haycraft, | John A. Prall, William B. Read, |
| John B. Bruner, | John L. Irvan, | Albert G. Rhea, |
| A. D. Cosby, | Samuel H. Jenkins, | James Simpson, |
| George Denny, | John M. Johnson, | Cyrenius Wait, |
| J. E. Gibson, | Thornton F. Marshall, | E. Dudley Walker, |
| William C. Gillis, | Wm. H. McBrayer. | C. J. Walton, |
| Robert E. Glenn, | C. D. Pennebaker, | W. C. Whitaker—24. |

Those who voted in the negative, were—

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| T. T. Alexander; Landaff W. Andrews, James R. Barrick, | Charles Chambers, Benjamin P. Cissell, Alex. L. Davidson, | Samuel E. DeHaven, John F. Fisk, Asa P. Grover—9. |
|--|---|---|

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate then, according to special order, took up for consideration a bill of the following title, viz :

A bill changing the time of assessing taxable property.

Ordered, That said bill be referred to the Committee on Finance.

Leave was granted to bring in bills of the following titles, viz :

On motion of Mr. Alexander—1. A bill for the benefit of Polly Jessie and W. C. McGlasson, of Adair county.

On motion of Mr. Bruner—2. A bill creating an additional election precinct in Breckinridge county.

On motion of Mr. Walker—3. A bill amending the execution laws.

On motion of Mr. Rhea—4. A bill to amend the charter of the Southern Bank of Kentucky.

On motion of Mr. Walker—5. A bill for the benefit of school district No. 68, in Ohio county.

On motion of same—6. A bill repealing all laws authorizing the holding of quarterly, police, and justices' courts before the 1st of December next.

On motion of Mr. Alexander—7. A bill changing the lines of civil districts in Adair county.

On motion of Mr. Grundy—8. A bill for the benefit of Frank Hill, of Washington county.

On motion of Mr. Pennebaker—9. A bill amending the limitation laws.

On motion of Mr. Johnson—10. A bill incorporating the Paducah Printing Office.

On motion of Mr. Gillis—11. A bill for the benefit of Elisha S. Silver, of Whitley county.

On motion of Mr. Irvan—12. A bill authorizing the Calloway county court to create an additional justices' district.

On motion of Mr. Fisk—13. A bill to amend the charter of the city of Covington.

Ordered, That the Committee on Circuit Courts prepare and bring in the 1st; the Committee on Privileges and Elections the 2d and 12th; Messrs. Walker, Jenkins, and McBrayer the 3d; the Committee on Banks the 4th; the Committee on Education the 5th; the Committee on the Judiciary the 6th, 9th, and 10th; the Committee on County Courts the 7th; the Committee on Propositions and Grievances the 8th; the Committee on Finance the 11th, and the Committee on Revised Statutes the 13th.

Mr. Cissell offered the following resolution, viz:

Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of introducing a bill extending the time for returning executions.

Which was adopted.

The Senate then took up a bill of the following title, viz:

A bill allowing Ellis, Cocke, and others, further time to erect a ferry at Cairo.

Ordered, That said bill be placed in the orders of the day.

Mr. Gillis, from the Committee on Enrollments, reported that they had examined sundry enrolled bills originating in the House of Representatives, of the following titles, viz:

An act to incorporate the Iron Moulders' Local Union, of Covington.

An act to incorporate the Licking River Mining and Manufacturing Company.

An act to incorporate Lodge No. 81, I. O. O. F., of Louisville.

An act empowering the Owen county court to change a State road.

An act to repeal an act in relation to the collection of the railroad tax of McCracken county.

An act amending an act incorporating the Munday's Landing and Harrodsburg turnpike road company.

An act for the relief of school district No. 38, in Meade county.

An act to authorize stockholders in turnpike roads in which the State holds stock to vote by proxy.

And that the same were correctly enrolled.

Whereupon, the Speaker signed the same, and they were delivered to the Committee on Enrollments, to be by them presented to the Governor for his signature.

The Senate then, according to general order, proceeded to the consideration of resolutions and bills of the following titles, viz:

Resolution offered by Mr. Fisk, providing for tri-daily sessions.

Mr. Grover offered the following amendment by way of a substitute:

Resolved, That a select committee of three be appointed to ascertain what amount of unfinished business is now before the Senate, either in the orders of the day or in the hands of committees.

Also, whether the business of legislation will, in their opinion, be expedited by holding three daily sessions.

Which was adopted.

Said resolution, as amended, was then adopted.

Resolution offered by Mr. Chambers, providing for a convention of the border slave States, and Arkansas, Tennessee, and North Carolina.

Ordered, That said resolution be referred to the Committee on Federal Relations.

Resolution offered by Mr. Simpson, ratifying the amendments to the constitution proposed by Congress.

Mr. Cissell moved to amend said resolution.

On motion of Mr. DeHaven,

Ordered, That the Public Printer forthwith print 150 copies of said amendment for the use of the members of the General Assembly, and that said resolution and amendment be referred to the Committee on Federal Relations, with instructions to report on Saturday, at 11 o'clock, A. M.

Resolutions offered by Mr. Prall, calling a border slave State convention, including North Carolina, Tennessee, and Arkansas.

Ordered, That said resolutions be referred to the Committee on Federal Relations.

Bills from the House of Representatives, of the following titles, viz:

1. An act to amend the charter of the Southern College of Kentucky.

2. An act to amend the charter of Bowling-Green.

3. An act to repeal an act, entitled "An act for the benefit of the Taylorsville and Mount Eden turnpike road."
4. An act to amend chapter 86 of the Revised Statutes,
5. An act for the benefit of school district No. 48, in Pulaski county.
6. An act in relation to the town of Harrodsburg.
7. An act to amend the militia law.
8. An act to amend an act, entitled "An act to incorporate the Verona and Morningview turnpike road company."

Which were read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bills having been dispensed with,

Ordered, That the 7th be referred to the Committee on Military Affairs, and that the 8th be rejected; and that the 1st, 2d, 3d, 4th, 5th, and 6th be read a third time.

The rule of the Senate, constitutional provision, and third reading of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

And then the Senate adjourned.

FRIDAY, MARCH 22, 1861.

The Speaker, in obedience to the resolution offered by Mr. Fisk, on yesterday, appointed Messrs. Grover, Fisk, and Rhea a committee to discharge the duties required under said resolution.

Mr. Chambers presented a petition signed by sundry citizens of Boone county, praying the passage of a law taxing dogs within the State; also a remonstrance, signed by other citizens of said county, against said law.

Which were received, the reading dispensed with, and referred to the Committee on Propositions and Grievances.

Mr. Grover, from the Committee on Finance, reported a bill of the following title, viz :

A bill repealing the act relating to births, marriages, and deaths, and for other purposes.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bill having been dispensed with,

Ordered, That the Public Printer forthwith print 150 copies of the same for the use of the members of the General Assembly, and that the further consideration of said bill be postponed until Monday, the 25th of this month, at 10½ o'clock, A. M.

Mr. DeHaven, from the same committee, reported a bill of the following title, viz :

A bill for the benefit of Alfred C. Tanner, clerk of McLean county.

Said bill reads as follows:

WHEREAS, Alfred C. Tanner, clerk of the county court of McLean county, Kentucky, has received from September 26, 1854, to September 10, 1860, inclusive, the sum of one hundred and forty dollars and sixty cents, for tax on marriage license, and has paid the same into the Treasury of Kentucky—the said tax being fees belonging to him as clerk; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Auditor be instructed and empowered to draw his warrant upon the Treasurer of Kentucky, in favor of said Alfred C. Tanner, for the sum of one hundred and forty dollars and sixty cents.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bill having been dispensed with,

Ordered, That said bill be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by the Constitution, were as follows viz :

Those who voted in the affirmative, were—

Mr. Speaker, (Porter,) John F. Fisk, William H. McBrayer,
T. T. Alexander, J. E. Gibson, Chas. D. Pennebaker,

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|----------------------|-----------------------|-------------------|
| William T. Anthony, | William C. Gillis, | John A. Prall, |
| Landaff W. Andrews, | Robert E. Glenn, | William B. Read, |
| James R. Barrick, | Asa P. Grover, | Albert G. Rhea, |
| John B. Bruner, | Thomas S. Grundy, | L. H. Rousseau, |
| Charles Chambers, | Samuel Haycraft, | Henry M. Rust, |
| Benjamin P. Cissell, | John L. Irvin, | James Simpson, |
| A. D. Cosby, | Samuel H. Jenkins, | Harrison Taylor, |
| Alex. L. Davidson, | John M. Johnson, | E. Dudley Walker, |
| Samuel E. DeHaven, | Thornton F. Marshall, | C. J. Walton—34. |
| George Denny. | | |

Those who voted in the negative, were—

W. C. Whitaker—1.

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the House of Representatives, announcing that they had passed bills and a resolution of the following titles, viz:

An act for the benefit of Wm. J. Ashcraft, of Estill county.

An act authorizing the county courts of Bourbon and Nicholas counties to close certain dirt roads.

An act to legalize the election of the chairman and board of trustees of the town of Bowling-Green.

An act to amend the charter of the Southern Bank of Kentucky.

An act for the benefit of the town of Williamsburg, in Whitley county.

An act for the benefit of the Cynthiana and Raven Creek turnpike road company.

An act to authorize the election of a police judge and marshal in the town of Leesburg, in Harrison county.

An act for the benefit of the sheriff of Green county.

An act to amend the charter of the city of Covington.

An act to repeal in part certain terms of the circuit, equity, and criminal courts of Logan, and the circuit court of Todd counties, and for other purposes.

An act for the benefit of school district No. 47, in Knox county, and No. 6, in the county of Lincoln.

An act for the benefit of S. W. Rennick, late sheriff of Hickman county.

An act for the benefit of George T. Halbert, of Lewis county.

An act for the benefit of S. E. Higgins.

An act for the benefit of Elizabeth Wilkenson.

An act for the benefit of G. S. Jones, of Marshall county.
An act for the benefit of the mechanics of Daviess county.
An act to charter the Bon Harbor turnpike road company.
An act authorizing the commissioners of the sinking fund to loan money to the State of Kentucky.

An act for the benefit of Elizabeth McKee, of Greenup county.
An act to revive an act establishing the office of county treasurer of Bracken county, approved March 10, 1856.

And a resolution requesting the Governor to return a bill incorporating the Planters' Bank of Henderson.

The Senate then, according to special order, took up for consideration a bill of the following title, viz :

An act to repeal an act, entitled "An act to appropriate money to the Western and Eastern Lunatic Asylums," approved February 9, 1861.

Mr. Whitaker moved to amend said bill.

Ordered, That said bill and amendment be referred to a select committee composed of Messrs. Whitaker, Rust, and Fisk.

Under a suspension of the rules, Mr. Andrews offered the following resolution, viz :

Resolved by the Senate of the Commonwealth of Kentucky, That a committee of three Senators (appointed by the Speaker) be, and they are hereby, appointed, to act in conjunction with the committee appointed by the House of Representatives, to wait upon the Hon. John J. Crittenden, and request him to address this General Assembly on the subject of our national affairs, at as early a day as may be convenient to him; and that said committee report to the Senate the result of the interview; and that said committee make such arrangements as may be necessary to carry the above resolution into effect.

Which was adopted.

The Speaker appointed Messrs. Andrews, Gibson, and Glenn, as said committee.

Under a suspension of the rules, Mr. Glenn, from the Committee on Agriculture and Manufactures, reported a bill of the following title, viz:

An act to incorporate the Davis Presbytery of the Cumberland Presbyterian church.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bill having been dispensed with,

Ordered, That said bill be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the Governor, by the hands of Hon. Thomas B. Monroe, jr., Secretary of State, informing the Senate that he had approved and signed sundry bills originating in the Senate, of the following titles, viz :

An act to amend chapter 86 of the Revised Statutes.

An act to amend the charter of the Williamstown Academy.

An act allowing further time to the sheriffs for the benefit of taxpayers.

An act to authorize circuit and equity courts to have entered of record certain orders for the sale of estates of infants and married women in certain cases.

An act to amend the charter of Owenton.

An act to amend the charter of the Lexington and Southern Kentucky railroad company.

An act to incorporate the American Workingmen's Benevolent Association, of Covington.

An act to amend an act, entitled "An act for incorporating the Salem Academy."

An act for the benefit of Springfield.

An act for the benefit of W. G. Harrison and Anderson Graves.

An act for the benefit of Wm. H. Middleton.

An act to amend the charter of Rochester.

An act for the benefit of the Carlisle and Sharpsburg turnpike road company.

An act appointing commissioners to run and mark the boundary line of Wolfe county.

An act to incorporate the Carlisle Cemetery Company.

An act to incorporate the Presbyterian church of Greenupsburg.

An act to establish an equity and criminal court in Ballard county.

An act to amend the charter of the Masonic Publication Association.

An act for the benefit of the sureties of John G. Pickens, late sheriff of Clinton county.

An act changing the time of holding the Bullitt county court,

An act to amend the charter of the city of Covington.

Also, transmitting the majority and minority reports of the Commissioners sent by Kentucky to the Peace Conference at Washington city.

Ordered, That the Public Printer forthwith print 150 copies of said reports for the use of each of the members of the Senate:

Also, the following communication, viz:

EXECUTIVE DEPARTMENT, March 22, 1861.

Gentlemen of the Senate:

A few days previous to your recent adjournment a bill was submitted to me for my approval, entitled "An act to amend the charters of the banks of Kentucky." I recognize, and fully appreciate, the commendable considerations which, doubtless, instigated this measure of intended relief; and, sympathizing—as I do, not less deeply than yourselves—with the financial distress of the people, I regret that, upon careful examination of this bill, I cannot discern in its operation as a law those beneficent results which seem to have been your laudable object. Reluctant to interpose my veto to a measure which, in your wisdom, you have devised to relieve the monetary stringency now felt, I am yet constrained, in this instance, to dissent from your views, and to withhold from the bill my sanction. It is herewith returned to the Senate, in which it originated, with the objections I propose, as briefly as possible, to submit.

The bill authorizes the banks to re-issue \$4,000,000, in notes of described denominations, payable two years from the date of such re-issue, coupled with the obligation to loan, upon the usual securities, \$400,000 to the people of each congressional district. The manifest purpose of the bill is to relieve the distress of the people by an opportune addition of \$4,000,000 to the circulating medium of the State. I question the efficacy of the measure to accomplish the object. What assurance have we that it will, in fact, add one dollar to the notes now in actual circulation among the people? Manifestly none. What notes will be re-issued under the provisions of this bill—those which have sought shelter from the financial storm in the vaults of the banks, or those which are now employed in the transaction of business? If the former, mischief, rather than relief, will follow.

Unquestionably it would be in the power, and as undeniably to the interest of the banks themselves, though possibly thereby evading the design of the bill, to withdraw \$4,000,000 of their present circulation, and supply its place with the irredeemable currency you propose to authorize—within their power, because no restraint upon them is or can be imposed; and to their interest, because thereby, without increasing, if not diminishing the danger of inroads upon the coin in their vaults,

they would not less surely reap the rich bonus of many thousands of dollars out of the industry of the country in the shape of interest upon notes for which they are not compelled to pay gold or silver. Our political difficulties and complications have shaken the very basis of commercial prosperity by impairing confidence in the stability of the government; general distrust has been thereby engendered; credit, itself an indirect but not unimportant medium of trade, has been impaired, and the laws of exchange have been disarranged. The consequence has been the contraction of our paper currency. But fortunately the high character and established credit of the banks of Kentucky have enabled them to maintain a larger circulation of their notes than would otherwise have been possible. The emission by them at this time of irredeemable notes, becoming at once a depreciated currency, would impair confidence abroad, bring back upon the banks their notes now circulating in other States, cause a constant run upon the coin in their vaults, and withdraw a large portion of the gold and silver on which their ability to pay now depends. To provide for this result the banks would naturally retire for the time their specie notes now in the hands of the people, reduce their present circulation, and supply the place with the post notes proposed to be authorized in this bill. If this be true, the present currency actually employed will not be increased by the measure. Its only effect will be to substitute as a circulating medium \$4,000,000 of bank notes, redeemable in two years, for a like amount now in the service of trade and convertible into gold or silver at the pleasure of the holder—the displacement of notes equivalent to a metallic currency by a depreciated medium.

Notes payable two years after date cannot, and will not hold equal currency with those redeemable at any hour. They must at once suffer a depreciation in the hands of third parties, despite the provisions of this bill intended to guard them against it; and the loss upon them will be borne by the very class for whose relief the bill is designed. The debtor pressed by execution applies to the banks for aid; the banks contract the loan and issue to him these post notes; the creditor entitled to demand gold or silver will scarce receive in satisfaction of his debt notes at their face value which cannot realize to him the gold for two years; and the necessitous debtor has no other alternative to bankruptcy than to submit to a discount of ten, fifteen, or twenty per cent. in addition to legal interest. The loss thus falls on the very men you would relieve. Instead of a relief measure, the bill would thus become an instrument of oppression.

The political uncertainties in which we are now involved will not permit us with any degree of safety to project our legislation upon the condition of our banks two years hence, high as may be their character, and well established as is their credit. Yet, this bill provides that all debts now due to the banks, and all hereafter due to or payable in the banks, may be discharged with these post notes; its effect will be to compel our public officers and other creditors to receive them at their face value; and it is provided they shall be received in the collection of the public revenue. If the continuance of existing political difficulties, or the occurrence of possible revulsions, should bring about

such a crisis as our banks could not withstand, it is not difficult to foresee the inextricable embarrassments in which this bill would involve us. The solvent banks could make no loans; no man would accept their post notes, and they could not issue specie notes on paper which they would be compelled to surrender on the tender of post notes. Our public officers and creditors being obliged to receive the notes would suffer a material reduction of their salaries by the depreciated currency. The revenue would be collected in such notes, and at the end of two years we might have the treasury full of the paper of an insolvent bank, taken at par, but no longer a tender in the payment of any debt of the State, and now wholly worthless.

I am fortified in these positions by the opinions of the presidents and directors of the banks with whom I have communicated since your last adjournment. In response to my communications, the following banks have advised me that they would not accept the privileges and assume the obligations of the bill if it should become a law: The *Northern Bank*, the *Bank of Kentucky*, the *Southern Bank of Kentucky*, the *People's Bank*, the *Bank of Ashland*, the *Bank of Louisville*, and the *Farmers' Bank*. The measure of supposed relief must, therefore, in any event, fail.

I sympathize as deeply as any one with our distressed and suffering people. I am anxious to co-operate with you in any measure for their relief; but that object, I apprehend, would not be attained by the operation of this bill. It would depreciate the currency of the State, cripple the present usefulness of the banks by forcing back upon them for redemption a large amount of the notes now in circulation, to make room for this re-issue; and I have no reason to think it would increase the volume of circulation to any material extent, if at all. I would suggest, however, to your consideration, as a measure of relief, the passage of a law authorizing the banks and other corporations to loan out one half or more of their capital upon accommodation notes bearing 8 per cent. interest, secured by mortgage upon real estate. This, it seems to me, would give a confidence to their paper and stock in the present condition of the country greater than what would spring out of personal security. Receiving a remunerative interest with no danger of loss, the banks would be content to receive the interest on limited calls from time to time when it might be oppressive to exact the principal.

I would also suggest in this connection the appointment of an Inspector or Supervisor, at a competent salary, whose duty it should be, at least four times in the year, to visit the banks, inspect their books, and make a quarterly report of their business to the Governor of the State.

But the great cause of distress is not in the number of banks, or the quantity of bank capital, but in the destruction of confidence growing out of the condition of our unhappy country. Restore confidence in the stability of the government, and the ten millions now locked in the hands of individual holders will be thrown into circulation, and no relief will be needed. Let our present uncertainties continue, and credit will be destroyed, trade paralyzed, and the people suffer,

no matter how many banks the Legislature may establish, or what additional circulation it may authorize. The highest and surest measures of financial relief will therefore be found in such legislation as will quiet political excitement, allay agitation, and restore confidence in the stability of our Government.

All which is respectfully submitted.

B. MAGOFFIN.

AN ACT to amend the charters of the banks of Kentucky.

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky;* That it shall and may be lawful for the banks *officio* in the State of Kentucky, on the 1st day of March, 1861, to re-issue in bank notes of denominations not less than one nor more than fifty dollars, the sum of four millions of dollars redeemable in gold or silver at the expiration of two years from and after the date of such re-issue, the amount aforesaid to be issued by the following named banks in proportion to the capital stock actually taken and paid in, to-wit: the Commercial Bank, the Southern Bank, the People's Bank, Bank of Louisville, the Bank of Kentucky, the Farmers' Bank, the Northern Bank, and the Bank of Ashland.

§ 2. That the re-issue aforesaid shall be duly made known and designated by writing or stamping on the face of each bank note re-issued: this, the 1st day of March, 1861, and countersigned by the cashier of such bank.

§ 3. That it shall be the duty of the aforesaid banks, within three months after the first day of March, 1861, to loan to the citizens of each of the ten congressional districts, upon new accommodations, in sums of not more than (\$1,000) to each individual applicant, to be paid in calls of not more than ten per cent. upon the original amount loaned, for the two first one hundred and twenty days said loan shall run, and not more than twenty per cent. for each one hundred and twenty days it may afterwards run, an amount not less than four hundred thousand dollars to each of the Congressional districts in the State of Kentucky: *Provided*, That if there should not be suitable and satisfactory applications for the amount to which any district may be entitled before the first day of July next, then the said banks may lend in larger sums than one thousand dollars: *And provided further*, That if said banks fail to make the loans herein provided for within the time stated, for the want of proper and satisfactory applications therefor, then the said banks shall have the benefits of the provisions of this act, in case they shall make the loans aforesaid to the amount named in the year 1861: *Provided*, That if any of the persons fail to renew at the time aforesaid, the banks aforesaid shall have the right to coerce the payment of all that such persons may owe such banks.

§ 4. It shall be the duty of the Commercial Bank, and the Bank of Ashland, to make the said loans in districts 1 and 9; and it shall be the duty of the Southern Bank, and the People's Bank, to make said loans in districts 2 and 3; it shall be the duty of the Bank of Kentucky, and

Bank of Louisville, to make said loans in districts 4, 5, and 7; it shall be the duty of the Farmers' Bank, and Northern Bank, to make said loans in districts 6, 8, and 10.

§ 5. It shall be the duty of said banks, in making loans herein provided for, to divide the sum going to each district among the several counties composing such district, in proportion to the number of voters in each county, respectively, as near as may be: *Provided*, That if there be not good and satisfactory applications from any county for the full amount for which such county is entitled, within ninety days from the 1st March, 1861, then said banks may lend the remainder of the share of such county to citizens of other counties in the same district.

§ 6. That it shall be the duty of the president and directors of the banks aforesaid to make known to the Governor of this Commonwealth, within thirty days from the date of this act, whether or not they accept the provisions thereof, and undertake to make the loans as herein required; and in the event that one half of said banks agree to, and do accept the provisions of this act, and will undertake to make the loans aforesaid to all the districts in the State, this act shall be binding and obligatory as to such banks thus accepting the provisions of this act, to the extent of their *pro rata* share of the amount of the authorized re-issue, to be proportioned equally among the ten congressional districts in this State.

§ 7. That the re-issue provided for in this act, when made conformable thereto, shall be taken and received in payment and discharge of all dues and demands to the State of Kentucky, and all debts now owing to, or debts hereafter made payable in or to said banks, and shall be taken on deposit by the banks accepting this act: *Provided*, The banks shall not be required to pay any other kind of funds than those deposited.

§ 8. That the Northern Bank of Kentucky, Bank of Kentucky, Bank of Louisville, Bank of Ashland, and Southern Bank, be, and they are hereby, allowed to issue notes of less denomination than five dollars, anything in the acts restricting said banks to the contrary notwithstanding. This section shall be in force only two years from its passage. The Legislature hereby reserves the right to alter, amend, or repeal this eighth section of this act at pleasure.

§ 9. This act shall take effect from and after its passage.

Ordered, That the Public Printer forthwith print 150 copies of said bill and the veto of the Governor for the use of the members of the General Assembly.

Under a suspension of the rules, Mr. Read offered the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the present session of the Legislature will adjourn *sine die* on Wednesday, March 27, 1861, at the hour of 12 o'clock, M.

The yeas and nays being demanded on the adoption of said resolution by Messrs. Gillis and Andrews, were as follows:

Those who voted in the affirmative, were—

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|--|----------------------|
| Mr. Speaker, (Porter,) John F. Fisk, | Chas. D. Pennebaker, |
| William T. Anthony, J. E. Gibson, | John A. Prall, |
| Landaff W. Andrews, Robert E. Glenn, | William B. Read, |
| James R. Barrick, Asa P. Grover, | Albert G. Rhea, |
| John B. Bruner, Thomas S. Grundy, | L. H. Rousseau, |
| Charles Chambers, Samuel Haycraft, | Henry M. Rust, |
| Benjamin P. Cissell, John L. Irvan, | James Simpson, |
| A. D. Cosby, Samuel H. Jenkins, | Harrison Taylor, |
| Alex. L. Davidson, John M. Johnson, | E. Dudley Walker, |
| Samuel E. DeHaven, Thornton F. Marshall, C. J. Walton, | |
| George Denny, William H. McBrayer, W. C. Whitaker—33. | |

Those who voted in the negative, were—

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|-------------------------------------|
| William C. Gillis, Cyrenius Wait—2. |
|-------------------------------------|

And so said resolution was adopted.

Mr. Read moved to reconsider the vote by which the Senate adopted said resolution.

Mr. Andrews moved to lay said motion on the table.

And the question being taken on said motion, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Marshall and Denny, were as follows, viz:

Those who voted in the affirmative, were—

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|---|----------------------|
| Mr. Speaker, (Porter,) George Denny, | William H. McBrayer, |
| William T. Anthony, John F. Fisk, | Chas. D. Pennebaker, |
| Landaff W. Andrews, J. E. Gibson, | John A. Prall, |
| James R. Barrick, Asa P. Grover, | William B. Read, |
| John B. Bruner, Thomas S. Grundy, | L. H. Rousseau, |
| Charles Chambers, Samuel Haycraft, | James Simpson, |
| A. D. Cosby, Samuel H. Jenkins, | Harrison Taylor, |
| Alex. L. Davidson, Thornton F. Marshall, C. J. Walton—25. | |
| Samuel E. DeHaven, | |

Those who voted in the negative, were—

| | |
|---------------------------------------|--------------------|
| Benjamin P. Cissell, John M. Johnson, | Cyrenius Wait, |
| William C. Gillis, Albert G. Rhea, | E. Dudley Walker, |
| Robert E. Glenn, Henry M. Rust, | W. C. Whitaker—10. |
| John L. Irvan, | |

And so said motion to reconsider was laid on the table.

The Senate then, according to special order, took up for consideration the following bill, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That the parties to any bond, bill, promissory note, or other instrument of writing for the payment of or forbearance of money, may stipulate therein for interest receivable upon the amount of such

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bond, bill, note, or other instrument, at any rate not exceeding ten per cent. per annum: *Provided, however,* That no incorporated banking institution of this State shall be entitled to receive more than the specified rate of interest in its charter, or, if no rate be specified, more than six per cent. yearly upon any loan or discount whatsoever.

§ 2. That upon all judgments or decrees rendered upon any bond, bill, promissory note, or other instrument aforesaid, interest shall be computed until payment at the rate specified in such bond, bill, note, or other instrument, not exceeding ten per cent. as aforesaid, or, in case no rate of interest is specified, at six per cent. yearly.

§ 3. This act to take effect from and after its passage,

Mr. Fisk offered the following amendment, viz:

Amend the first section by adding, "Provided the period of such indebtedness shall not be less than twelve months."

Ordered, That said amendment be rejected.

Mr. Grover moved the previous question.

And the question being taken "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Anthony and Alexander, were as follows, viz:

Those who voted in the affirmative, were—

| | |
|---------------------------------------|---|
| Mr. Speaker, (Porter.) Asa P. Grover, | Henry M. Rust, |
| Landaff W. Andrews, | Thornton F. Marshall, James Simpson, |
| George Denny, | William H. McBrayer, Harrison Taylor, |
| John F. Fisk, | Chas. D. Pennebaker, W. C. Whitaker—14. |
| Robert E. Glenn, | L. H. Rousseau, |

Those who voted in the negative, were—

| | | |
|----------------------|--------------------|----------------------|
| T. T. Alexander, | Alex. L. Davidson, | Samuel H. Jenkins, |
| William T. Anthony, | Samuel E. DeHaven, | John M. Johnson, |
| James R. Barrick, | J. E. Gibson, | John A. Prall, |
| John B. Bruner, | William C. Gillis, | William B. Read, |
| Charles Chambers, | Thomas S. Grundy, | Albert G. Rhea. |
| Benjamin P. Cissell, | Samuel Haycraft, | Cyrenius Wait, |
| A. D. Cosby, | John L. Irvin, | E. Dudley Walker—21. |

And so said bill was rejected.

Mr. Fisk, from a select committee, reported the following resolution:

Resolved, That after this day the Senate will hold evening sessions, beginning at 3 o'clock, P. M.

Mr. Grover moved to amend said resolution, as follows:

"And that hereafter no Senator shall speak more than five minutes

at any one time, nor more than once on the same subject, without the unanimous consent of the Senate.

Mr. Chambers offered the following substitute for the original resolution and amendment:

Resolved, That from and after to-day, the sessions of the Senate shall commence at 9 A. M., and continue until 1 P. M., at 3 P. M., and continue until 6 P. M.

Said substitute was adopted.

Said resolution, as amended, was then adopted.

According to the order of the Senate, Mr. Pennebaker, from the Committee on Military Affairs, reported a bill of the following title, viz:

An act to amend the militia law.

Ordered, That the further consideration of said bill be postponed until Monday next, March 25, at 10½ o'clock, A. M.

Leave was granted to bring in bills of the following titles, viz:

On motion of Mr. Bruner—1. A bill amending the law relating to the Brandenburg and Hudsonville road.

On motion of Mr. Rousseau—2. A bill authorizing an interpreter to be appointed for certain courts.

Ordered, That the Committee on Internal Improvement prepare and bring in the first, and the Committee on the Judiciary the second.

Mr. Whitaker, from a select committee, laid upon the Secretary's table reports from the various eleemosynary institutions of the State, as follows, viz:

[*For Reports—See Legislative Documents.*]

Ordered, That the Public Printer forthwith print 150 copies of said reports in pamphlet form for the use of the members of the General Assembly.

And then the Senate adjourned.

SATURDAY, MARCH 23, 1861.

Under a suspension of the rules,

Mr. Alexander offered the following resolution, viz:

Resolved, That the Governor be requested to furnish for the use of the General Assembly, the monthly reports of the banks made to him for the past six months, and to report whether all of the banks of issue in this State have made regular monthly reports; and if not, which of them have failed in this particular; also, whether or not said banks have paid into the treasury the bonds required by law to be paid in—whether or not said banks, or either of them, have been dealing in *kytes* contrary to the provisions of their charters. That he transmit any letters, or other information he may have as to whether or not the said banks will accept the provisions of the act, entitled "An act to amend the charters of the banks of Kentucky," vetoed by the Governor.

Which was adopted.

1. Mr. Cosby presented the petition of sundry citizens of the county of Webster, praying that they might be attached to the county of McLean.

2. Mr. Irvin presented the petition of the members of the bar of Murray, Kentucky, remonstrating against a change of the ferrys on Green river.

3. Mr. Fisk presented the petition of O. F. Rankin, asking a change of a school district in his county.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Propositions and Grievances; the 2d to the Committee on County Courts, and the 3d to the Committee on Education.

Mr. DeHaven, from the Committee on Finance, reported bills of the following titles, viz:

A bill for the benefit of Isaac E. Johnson and James A. Hawkins.

A bill for the benefit of S. E. G. Cole, of Todd county.

A bill for the benefit of Elisha L. Siler.

Which were read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of said bills having been dispensed with, and the same having been engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

By same—

The following bill:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the third sub-division of the first section of an act, entitled "An act concerning the penitentiary," approved February 1, 1856, be so amended as to read, Jerry South, the present keeper of the penitentiary, shall be bound to pay into the treasury, and to the credit of the sinking fund, at the end of each year yet remaining of his present term of office, the sum of six thousand dollars.

§ 2. This act shall take effect from its passage.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bill having been dispensed with,

Ordered, That said bill be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with, and the same having been engrossed,

The question was taken on its passage, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Taylor and Alexander, were as follows, viz:

Those who voted in the affirmative, were—

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|------------------------|-----------------------|----------------------|
| Mr. Speaker, (Porter.) | William C. Gillis, | William H. McBrayer, |
| Landaff W. Andrews, | Robert E. Glenn, | Chas. D. Pennebaker, |
| Charles Chambers, | Asa P. Grover, | John A. Prall, |
| Benjamin P. Cissell, | Thomas S. Grundy, | Albert G. Rhea, |
| A. D. Cosby, | John L. Irvan, | L. H. Rousseau, |
| Alex. L. Davidson, | Samuel H. Jenkins, | Henry M. Rust, |
| John F. Fisk, | John M. Johnson, | James Simpson—22, |
| J. E. Gibson, | Thornton F. Marshall, | |

Those who voted in the negative, were—

| | | |
|--------------------|------------------|----------------------|
| T. T. Alexander, | George Denny, | Cyrenius Wait, |
| James R. Barrick, | Samuel Haycraft, | Claiborne J. Walton, |
| John B. Bruner, | Harrison Taylor, | W. C. Whitaker—10. |
| Samuel E. DeHaven, | | |

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Andrews, from the committee appointed to invite the Hon. John J. Crittenden to address the members of the Senate, made the following report:

The committee appointed by the Senate, to act in conjunction with the committee of the House of Representatives, to wait on and request the Hon. John J. Crittenden to address the Legislature on national affairs, report that they have discharged the duty, and that Mr. Crittenden accepts the invitation, and will address the Legislature in the Hall of the House of Representatives, on Tuesday next, 26th, at 11 o'clock, A. M. And the committee of the House and Senate, who were directed to make all needful arrangements, &c., have agreed that, at the hour of the proposed address, the Senate will proceed as a body, and in the House hold a joint session of the Legislature.

Ordered, That the Public Printer forthwith print 150 copies of the same for the use of the members of the General Assembly.

A message was received from the House of Representatives, announcing that they had passed bills of the following titles, viz:

An act to prevent the trial of civil causes at the April term, 1861, of the Bullitt, and the March term of the Carroll circuit courts.

An act to exempt guns from taxation.

And that they had received official information from the Governor that he had approved and signed sundry enrolled bills originating in the House of Representatives, of the following titles, viz:

An act for the benefit of the Lexington and Newtown turnpike road company.

An act to discontinue a portion of the State road in Kenton county.

An act for the benefit of W. A. L. B. Sharp, late sheriff of Estill county.

An act for the benefit of Barboursville, Williamsburg, London, and Mount Vernon.

An act to establish an additional voting precinct in Larue county.

An act to incorporate the town of Pitt's Point.

An act for the benefit of E. G. Wright, late marshal of Mt. Sterling, and his sureties.

An act to change the time of holding the quarterly court in Jackson county, and to legalize proceedings of said court.

An act to incorporate Harmony Lodge, No. 302, of Free and Accepted Masons.

An act repealing an act providing for the payment of the public debt of Greenup county.

An act concerning the police and city courts, and fees of county attorneys.

An act authorizing the trustees of the Baptist church in Shelbyville to sell certain real estate.

An act to amend an act for the benefit of the trustees and citizens of the town of London.

An act for the benefit of the Presbyterian church at Mt. Sterling.

An act to incorporate the Book and Tract Society of the M. E. Church South.

An act for the benefit of Pleasant Conway, of Caldwell county.

An act to incorporate the Bowling-Green Gas Company.

An act to establish and incorporate the town of Hardystown, in Hart county.

An act to amend the charter of the Merchants' Deposit Bank of Danville.

An act to allow non-resident aliens, who are heirs and devisees, to hold and convey real estate.

An act to incorporate the Deposit Bank of New Liberty.

Under a suspension of the rules,

Mr. Whitaker, from the Committee on Circuit Courts, reported the following bill:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That no term of either the circuit, criminal, equity, quarterly, or justices' court of the county of Metcalfe, shall be held prior to the first day of July next.

§ 2. This act shall take effect from and after its passage.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bill having been dispensed with,

Ordered, That said bill be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with, and the same having been engrossed,

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Alexander and DeHaven, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---------------------|-----------------------|--------------------|
| William T. Anthony, | John M. Johnson, | L. H. Rousseau, |
| James R. Barrick, | Thornton F. Marshall, | Henry M. Rust, |
| J. E. Gibson, | William H. McBrayer, | E. Dudley Walker, |
| Robert E. Glenn, | Chas. D. Pennebaker, | C. J. Walton, |
| Asa P. Grover, | Albert G. Rhea, | W. C. Whitaker—16. |
| Samuel H. Jenkins, | | |

Those who voted in the negative, were—

| | |
|---|-------------------|
| Mr. Speaker, (Porter,) A. D. Cosby, | Thomas S. Grundy, |
| T. T. Alexander, Alex. L. Davidson, | Samuel Haycraft, |
| Landaff W. Andrews, Samuel E. DeHaven, | John L. Irvan, |
| John B. Bruner, George Denny. | James Simpson, |
| Charles Chambers, John F. Fisk, | Harrison Taylor, |
| Benjamin P. Cissell, William C. Gillis, | Cyrenius Wait—18. |

And so said bill was rejected.

Messrs. Andrews and Denny moved to reconsider the vote by which said bill was rejected.

And the further consideration of said motion was for the present postponed.

Under a suspension of the rules,

A bill from the House of Representatives, of the following title, was taken up from the orders of the day:

An act to prevent the trial of civil causes at the April term, 1861, of the Bullitt, and the March term, 1861, of the Carroll circuit courts.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bill having been dispensed with,

Mr. Wait moved to amend said bill by making the provisions thereof applicable to the March term of the Pulaski circuit court.

Mr. Read moved to amend the amendment by making the provisions of the bill apply to the March term of the Nelson circuit court, 1861, and to the May term of the Larue circuit court.

Said amendment to the amendment was adopted.

Said amendment, as then amended, was adopted.

Mr. DeHaven moved to amend said bill, so as to allow said courts to proceed with the criminal and penal causes in said circuit courts.

Said amendment was adopted.

Mr. Read moved to amend the title of said bill.

Said amendment was adopted.

Ordered, That said bill, as amended, be read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being demanded thereon by Messrs. Taylor and Alexander, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|----------------------|-----------------------|----------------------|
| William T. Anthony, | Samuel Haycraft, | Henry M. Rust, |
| James R. Barrick, | John M. Johnson, | Cyrenius Wait. |
| Benjamin P. Cissell, | Thornton F. Marshall, | E. Dudley Walker, |
| J. E. Gibson, | Wm. H. McBrayer, | Claiborne J. Walton, |
| Robert E. Glenn, | William B. Read, | W. C. Whitaker—17. |
| Asa P. Grover, | Albert G. Rhea, | |

Those who voted in the negative, were—

| | | |
|---------------------|--------------------|---------------------|
| T. T. Alexander, | George Denny, | John L. Irvan, |
| Landaff W. Andrews, | John F. Fisk, | James Simpson, |
| John B. Bruner, | William C. Gillis, | Harrison Taylor—11. |
| Samuel E. DeHaven, | Thomas S. Grundy, | |

Resolved, That said bill do pass, and that the title thereof be as amended.

Messrs. Andrews and Denny, under a suspension of the rule of the Senate, called up their motion to reconsider the vote by which the Senate rejected a bill of the following title, viz:

A bill to repeal the spring term of the several courts in Metcalfe county.

And the question being taken on reconsidering said vote, it was decided in the affirmative.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being demanded thereon by Messrs. Alexander and Taylor, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|----------------------|-----------------------|--------------------|
| Wm. T. Anthony, | Samuel Haycraft, | Henry M. Rust, |
| James R. Barrick, | John M. Johnson, | Cyrenius Wait, |
| Benjamin P. Cissell, | Thornton F. Marshall, | E. Dudley Walker, |
| J. E. Gibson, | Wm. H. McBrayer, | C. J. Walton, |
| Robert E. Glenn, | William B. Read, | W. C. Whitaker—17. |
| Asa P. Grover. | Albert G. Rhea, | |

Those who voted in the negative, were—

| | | |
|---------------------|--------------------|-------------------|
| T. T. Alexander, | Samuel E. DeHaven, | Thomas S. Grundy, |
| Landaff W. Andrews, | George Denny, | John L. Irvan, |

John B. Bruner, John F. Fisk, James Simpson,
 Charles Chambers, William C. Gillis, Harrison Taylor—13.
 Alex. L. Davidson,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Under a suspension of the rules,

Mr. Whitaker, from a select committee, laid before the Senate, a report from the Superintendent of the Institution for the Blind.

Ordered, That the Public Printer print said report along with the reports from other eleemosynary institutions.

Under a suspension of the rules,

Mr. Whitaker, from the Committee on Circuit Courts, reported the following bill, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That all the laws authorizing and requiring the holding of circuit, quarterly, and magistrates' courts, except for the trial of criminal and penal cases, in the counties of Greenup, Carter, Lawrence, and Boyd, in the spring and summer of 1861, be, and the same are hereby, repealed; this act is limited to the spring and summer terms of said court, and after the 1st of September, 1861, all the laws now in force regarding said courts shall be in as full force as though this act had not been passed.

§ 2. This act to take effect from its passage.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bill having been dispensed with,

Mr. Rust offered the following amendment:

Be it further enacted, That nothing herein contained shall be so construed as to prohibit or prevent any needful and interlocutory orders being made for the further preparation of civil suits in ordinary or equity in said courts.

Which was adopted.

Mr. Walker moved further to amend said bill, as follows, viz:

That all laws authorizing the holding of the quarterly, police, and justices' courts, in Ohio county, before the 1st day of December, 1861, be repealed: *Provided*, That said courts may still be held for the trial of criminal and penal cases, so far as any of said courts have jurisdiction in such cases: *And provided further*, That said courts shall be permitted to hold their regular terms, as now fixed by law, after the expiration of the periods above mentioned, in the same manner they would have a right to do if this act had not been passed.

Which was adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being demanded thereon by Messrs. Taylor and Rust, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---------------------|-----------------------|--------------------|
| William T. Anthony, | John M. Johnson, | Henry M. Rust, |
| James R. Barrick, | Thornton F. Marshall, | Cyrenius Wait, |
| J. E. Gibson, | William H. McBryer, | E. Dudley Walker, |
| Robert E. Glenn, | William B. Read, | C. J. Walton, |
| Asa P. Grover, | Albert G. Rhea, | W. C. Whitaker—16. |
| Samuel Haycraft, | | |

Those who voted in the negative, were—

| | | |
|---|--------------------|---------------------|
| Mr. Speaker, (Porter,) T. T. Alexander, | Alex. L. Davidson, | William C. Gillis, |
| Landaff W. Andrews, | Samuel E. DeHaven, | John L. Irvin, |
| John B. Bruner, | George Denny, | James Simpson, |
| Charles Chambers, | John F. Fisk, | Harrison Taylor—13. |

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

According to general order, the Senate then took up bills from the House of Representatives, of the following titles, viz:

1. An act for the benefit of Wm. J. Ashcraft, of Estill county.
2. An act authorizing the county courts of Bourbon and Nicholas counties to close certain dirt roads.
3. An act to legalize the election of the chairman and board of trustees of the town of Bowling-Green.
4. An act for the benefit of the town of Williamsburg, in Whitley county.
5. An act for the benefit of the Cynthiana and Raven Creek turnpike road company.
6. An act to authorize the election of a police judge and marshal in the town of Leesburg, in Harrison county.
7. An act for the benefit of the sheriff of Green county.
8. An act to amend the charter of the city of Covington.
9. An act for the benefit of school district No. 47, in Knox county, and No. 6, in the county of Lincoln.

10. An act for the benefit of S. W. Rennick, late sheriff of Hickman county.
11. An act for the benefit of George T. Halbert, of Lewis county.
12. An act for the benefit of S. E. Higgins.
13. An act for the benefit of G. S. Jones, of Marshall county.
14. An act for the benefit of the mechanics of Daviess county.
15. An act to charter the Bon Harbor turnpike road company.
16. An act for the benefit of Elizabeth McKee, of Greenup county.
17. An act to revive an act establishing the office of treasurer for Bracken county, approved March 10, 1856.
18. An act to exempt guns from execution.

Which were read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bills having been dispensed with,

Ordered, That the 2d be referred to the Committee on Internal Improvement; the 11th to the Committee on Finance; the 13th to the Committee on County Courts; the 14th to the Committee on the Judiciary; and that the 1st, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 12th, 15th, 16th, 17th, and 18th, be read a third time.

The rule of the Senate, constitutional provision, and third reading of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

An act to amend the charter of the Southern Bank of Kentucky.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bill having been dispensed with,

Mr. Johnson offered the following amendment:

Provided, That no private banker, broker, or shaver shall be eligible to the office of director in said bank.

The question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being demanded thereon by Messrs. Johnson and Walton, were as follows, viz:

Those who voted in the affirmative, were—

J. E. Gibson,
Asa P. Grover,

John M. Johnson,
E. Dudley Walker,

C. J. Walton,
W. C. Whitaker—6.

Those who voted in the negative, were—

| | | |
|---|---|--|
| Mr. Speaker, (Porter,) T. T. Alexander, William T. Anthony, Landaff W. Andrews, James R. Barrick, John B. Bruner, Charles Chambers, Benjamin P. Cissell, A. D. Cosby, | Alex. L. Davidson, Samuel E. DeHaven, George Denny, John F. Fisk, William C. Gillis, Robert E. Glenn, Thomas S. Grundy, Samuel Haycraft, John L. Irvan, | Thornton F. Marshall, William H. McBrayer, John A. Prall, Albert G. Rhea, Henry M. Rust, James Simpson, Harrison Taylor, Cyrenius Wait—26. |
|---|---|--|

And so said amendment was rejected.

Ordered, That said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

An act to repeal in part certain terms of the circuit court, equity and criminal courts of Logan county, and the circuit court of Todd county, and for other purposes.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bill having been dispensed with,

Mr. Rhea offered an amendment to said bill.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with,

The question was taken on its passage.

The yeas and nays being demanded thereon by Messrs. Taylor and Alexander, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|--|---|--|
| William T. Anthony, James R. Barrick, Benjamin P. Cissell, J. E. Gibson, Robert E. Glenn, Asa P. Grover, | Samuel Haycraft, John M. Johnson, Thornton F. Marshall, E. Dudley Walker, William H. McBrayer, C. J. Walton, William B. Read, Albert G. Rhea, | Henry M. Rust, Cyrenius Wait, W. C. Whitaker—17. |
|--|---|--|

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker, (Porter,) T. T. Alexander, Landaff W. Andrews, John B. Bruner, | Charles Chambers, Samuel E. DeHaven, George Denny, William C. Gillis, | John L. Irvan, James Simpson, Harrison Taylor—11. |
|---|---|---|

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

An act for the benefit of Elizabeth Wilkenson.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bill having been dispensed with,

Mr. McBrayer offered an amendment to said bill.

Which was adopted.

Ordered, That said bill, as amended, be referred to the Committee on the Revised Statutes.

A resolution requesting the Governor to return the bill to incorporate the Planters' Bank of Henderson.

Which was twice read and concurred in.

An act authorizing the commissioners of the sinking fund to loan money to the State of Kentucky.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bill having been dispensed with,

Ordered, That the Public Printer forthwith print 150 copies of said bill for the use of the members of the General Assembly, and that it be referred to the Committee on Finance, with instructions to report on Monday next, March 25, at 10 $\frac{1}{2}$ o'clock, A. M.

Under a suspension of the rules, the following business was transacted.

Mr. Grover offered the following resolution:

Resolved, That the Public Printer be directed to print for the use of the Senate, so soon as practicable after adjournment, 6,000 copies of the synopses of the acts of the called session; and that he send the same by mail or express to the members of the Senate; and that he send in the same manner, so soon as printed, the report of the Commissioners of the Peace Conference, bound in the style of the report of the State Line Survey, and the Journals of the called session of the Legislature, as well as the acts passed.

Which was adopted.

Mr. Cissell, from the Committee on the Judiciary, reported a bill of the following title, viz.:

A bill to amend the charter of Uniontown.

By Mr. Grundy, from the Committee on Propositions and Grievances—

A bill for the benefit of James D. Ballard.

By Mr. Taylor, from the Committee on Internal Improvement—

A bill concerning the Wilderness turnpike road.

Which were read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bills having been dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of said bills having been dispensed with, and the same having been engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Leave was granted to bring in bills of the following titles, viz:

On motion of Mr. Haycraft—1. A bill for the benefit of S. S. Cralle.

On motion of Mr. Cosby—2. A bill for the benefit of Thomas Landrum and Henry Griffith, of McLean county.

On motion of same—3. A bill repealing all laws authorizing the holding of quarterly, police, and magistrates' courts in McLean county.

On motion of Mr. Alexander—4. A bill for the benefit of R. W. Washington, John F. Zimmerman, and Speed S. Fry, of Boyle county.

On motion of Mr. Fisk—5. A bill regulating fees of sheriffs in certain cases.

On motion of Mr. Cosby—6. A bill to suspend the courts in Hart, Green, and Taylor counties.

On motion of Mr. Walker—7. A bill to amend the 26th section of the Civil Code of Practice.

On motion of Mr. Whitaker—8. A bill amending the charter of Shelbyville.

On motion of same—9. A bill amending the execution laws.

On motion of same—10. A bill amending the 4th, 5th, and 6th sections of the 97th chapter of the Revised Statutes, title "Sureties and Co-obligors."

Ordered, That the Committee on Military Affairs prepare and bring in the 1st; the Committee on Finance the 2d; the Committee on the Judiciary the 3d; the Committee on Religion the 4th; the Committee

on the Revised Statutes the 5th; the Committee on the Codes of Practice the 7th; Messrs. Walton, Barrick, and Cosby the 6th; the Committee on Circuit Courts the 8th and 9th; and the Committee on Propositions and Grievances the 10th.

Mr. Gillis, from the Committee on Enrollments, reported that they had examined sundry enrolled bills originating in the House of Representatives, of the following titles, viz :

An act to amend chapter 86 of the Revised Statutes.

An act for the benefit of the late sheriffs of Greenup, Carter, and Lawrence counties.

An act to legalize the acknowledgments of deeds taken before the mayors of Newport.

An act for the benefit of Mrs. Mary Haviland.

An act for the benefit of Wm. McGowan and J. V. Dewey.

An act for the benefit of William T. Moren.

An act for the benefit of Elijah L Wisdom and Green Atwell.

An act to incorporate the Beargrass Packing and Manufacturing Company.

An act to repeal an act, entitled "An act for the benefit of the Taylorsville and Mount Eden turnpike road."

An act in relation to the town of Harrodsburg.

And that the same were correctly enrolled.

Whereupon the Speaker affixed his signature to said bills, and they were handed back to the committee, to be by them presented to the Governor for his approval.

And then the Senate adjourned.

MONDAY, MARCH 25, 1861.

1. Mr. Andrews presented the petition of sundry citizens of the county of Nicholas, remonstrating against the call of a convention. Which was received, read, and laid upon the table.
2. Mr. Grover presented a memorial from sundry citizens of Owen county, upon the present political affairs of the country.
3. Mr. Grundy presented the petition of sundry citizens of Marion county, praying the call of a convention.
4. Mr. Cissell presented the petition of sundry citizens of Hopkins county, praying a postponement of the spring courts of said county.
5. Mr. DeHaven presented the petition of sundry citizens of Oldham county, praying that an act be passed preventing the importation of infected cattle into this State.
6. Mr. Barrick presented the petition of W. K. Evans, praying the passage of an act for his benefit.
7. Mr. Wait presented the petition of W. A. Saller, that he be allowed to peddle in the counties of Whitley and Wayne. Which were received, the reading dispensed with, and referred—the 2d and 3d to the Committee on Federal Relations; the 4th to the Committee on the Judiciary; the 5th to the Committee on Revised Statutes; the 6th to the Committee on Education; and the 7th to a select committee composed of Messrs. Wait, Gillis, and Alexander.

Mr. Fisk read and laid upon the table the following joint resolutions, viz:

WHEREAS, The continued agitation of the slavery question by the various political parties, as a basis for congressional legislation, has brought the country to its present unhappy condition; and whereas, every interest of humanity, liberty, and business, demands that this agitation shall be settled by specific constitutional enactment; and whereas, we believe that the eight slave States that have not adopted secession ordinances, are in a condition as mediators to propose such amendments to the Constitution as will secure the rights of the whole South peacefully and quietly in the Union; therefore,

Resolved, That we invite the States of Delaware, Maryland, Virginia, North Carolina, Tennessee, Arkansas, and Missouri, to meet Kentucky at Frankfort, on ——, for the purposes above indicated.

Resolved, That if such Convention agree upon a plan of adjustment, and such plan is accepted by our brethren of the North, and is made a

part of the Constitution of the United States, Kentucky will remain in the Union.

Resolved, That when such constitutional amendments are made, we shall ardently desire, and confidently expect, that our brethren who have withdrawn their fellowship from the Union will speedily return, and that it will be their duty so to do; so that we may in peace, fraternity, and happy concord, resume our march to greatness and power under one Constitution, and the glorious old flag made by the fathers of the Revolution.

Under a suspension of the rule of the Senate, said resolutions were taken up.

Ordered, That said resolutions be referred to the Committee on Federal Relations, and that the Public Printer forthwith print 150 copies thereof for the use of the members of the General Assembly.

Leave was granted to bring in bills of the following titles, viz:

On motion of Mr. Rousseau—1. A bill to amend the law relating to the competency of witnesses.

On motion of same—2. A bill to amend an act, entitled "An act in relation to duties of clerks of courts in this Commonwealth," approved March 2, 1861.

On motion of same—3. A bill for the benefit of Charles J. Clarke, of Louisville.

On motion of Mr. Grover—4. A bill authorizing the Superintendent of the Institution for Feeble-Minded Children to inclose the grounds with a suitable fence.

On motion of Mr. Cissell—5. A bill for the benefit of J. R. Cargill, late sheriff of Hopkins county.

On motion of same—6. A bill for the benefit of the Bank of Louisville.

On motion of Mr. Walker—7. A bill to establish a police judge and town marshal in Cromwell, Ohio county.

On motion of Mr. Alexander—8. A bill to amend the law incorporating the town of Edmonton, in Metcalfe county.

Ordered, That the Committee on the Judiciary prepare and bring in the 1st, 2d, 5th, and 7th; the Committee on Circuit Courts the 3d; the Committee on Finance the 4th; the Committee on Banks the 6th; and Messrs. Alexander, Barrick, and Anthony the 8th.

Mr. Rousseau read and laid on the table the following joint resolutions, viz:

WHEREAS, This General Assembly is informed that certain persons, acting as a Congress of the seceding States, have assumed power to

obstruct and regulate the free navigation of the Mississippi river by the citizens of this Union, to whom it belongs; therefore, be it

Resolved by the General Assembly of the Commonwealth of Kentucky, That Kentucky having as much right to the Mississippi river, to its free, unobstructed navigation, as Louisiana, or any other State, and that right being of vital importance to her people, feels it her duty to herself and her sister States, at the earliest day, to make this, her most solemn protest, against any assumption of such power to control the navigation of that river as utterly without right or proper authority, and as what she cannot and will not submit to.

Resolved further, That the States in the valley of the Mississippi be earnestly requested to unite with Kentucky in this protest against the violation of a mutual right so vitally important to them all, and which their permanent interests forbid should ever rest in the discretion of any government, save that under which they live.

Resolved, That the Governor be requested to transmit copies of these resolutions to the Executives of the States aforesaid.

Under a suspension of the rules of the Senate, said resolutions were taken up.

Ordered, That the Public Printer forthwith print 150 copies thereof for the use of the members of the General Assembly.

A message was received from the House of Representatives, announcing that they had passed bills originating in the Senate of the following titles, viz:

An act for the benefit of William J. Shrout.

An act for the benefit of James M. Nesbitt.

An act to establish an additional magistrates' district and election precinct in Daviess county.

An act to repeal the spring term of the several courts in Metcalfe county.

And that they had concurred in the amendments proposed by the Senate to a bill originating in the House of Representatives, of the following title, viz:

An act to postpone the trial of civil causes at the April term, 1861, of the Bullitt, and the March term, 1861, of the Carroll circuit courts, and the March terms, 1861, of the Pulaski and Nelson, and the May term, 1861, of the Larue circuit courts.

And that they had passed bills of the following titles, viz:

An act incorporating the town of Quincy, in Lewis county.

An act to amend the charter of the Paris and Bethlehem turnpike road company.

And that they had passed a bill of the following title, viz:

An act for the benefit of the Bank of Louisville and other banks,
The veto of the Governor to the contrary notwithstanding.
The Senate took up for consideration said bill.

And the question being taken, "Shall the bill pass, the veto of the Governor to the contrary notwithstanding," it was decided in the negative.

The yeas and nays being demanded thereon by the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|----------------------|----------------------|--------------------|
| William T. Anthony, | George Denny, | Henry M. Rust, |
| Landaff W. Andrews, | Samuel Haycraft, | Harrison Taylor, |
| John B. Bruner, | John M. Johnson, | Cyrenius Wait, |
| Benjamin P. Cissell, | Chas. D. Pennebaker, | W. C. Whitaker—14. |
| A. D. Cosby, | L. H. Rousseau, | |

Those who voted in the negative, were—

| | | |
|---|------------------------------|-------------------------------------|
| Mr. Speaker, (Porter,) T. T. Alexander, | J. E. Gibson, Asa P. Grover, | William H. McBrayer, John A. Prall, |
| James R. Barrick, | Thomas S. Grundy, | Albert G. Rhea, |
| Charles Chambers, | John L. Irvin, | James Simpson, |
| Samuel E. DeHaven, | Samuel H. Jenkins, | E. Dudley Walker, |
| John F. Fisk, | Thornton F. Marshall, | C. J. Walton—18. |

And so said bill was rejected.

The Senate then took up for consideration the following bill returned to the Senate by the Governor with his objections, viz:

AN ACT to amend the charters of the banks of Kentucky.

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That it shall and may be lawful for the banks *officio* in the State of Kentucky, on the 1st day of March, 1861, to re-issue in bank notes of denominations not less than one nor more than fifty dollars, the sum of four millions of dollars, redeemable in gold or silver at the expiration of two years from and after the date of such re-issue, the amount aforesaid to be issued by the following named banks in proportion to the capital stock actually taken and paid in, to-wit: the Commercial Bank, the Southern Bank, the People's Bank, Bank of Louisville, the Bank of Kentucky, the Farmers' Bank, the Northern Bank, and the Bank of Ashland.

§ 2. That the re-issue aforesaid shall be duly made known and designated by writing or stamping on the face of each bank note re-issued: this, the 1st day of March, 1861, and countersigned by the cashier of such bank.

§ 3. That it shall be the duty of the aforesaid banks, within three months after the first day of March, 1861, to loan to the citizens of each of the ten congressional districts, upon new accommodations, in sums of not more than (\$1,000) to each individual applicant, to be

paid in calls of not more than ten per cent. upon the original amount loaned, for the two first one hundred and twenty days said loan shall run, and not more than twenty per cent. for each one hundred and twenty days it may afterwards run, an amount not less than four hundred thousand dollars to each of the Congressional districts in the State of Kentucky: *Provided*, That if there should not be suitable and satisfactory applications for the amount to which any district may be entitled before the first day of July next, then the said banks may lend in larger sums than one thousand dollars: *And provided further*, That if said banks fail to make the loans herein provided for within the time stated, for the want of proper and satisfactory applications therefor, then the said banks shall have the benefits of the provisions of this act, in case they shall make the loans aforesaid to the amount named in the year 1861: *Provided*, That if any of the persons fail to renew at the time aforesaid, the banks aforesaid shall have the right to coerce the payment of all that such persons may owe such banks.

§ 4. It shall be the duty of the Commercial Bank, and the Bank of Ashland, to make the said loans in districts 1 and 9; and it shall be the duty of the Southern Bank, and the People's Bank, to make said loans in districts 2 and 3; it shall be the duty of the Bank of Kentucky, and Bank of Louisville, to make said loans in districts 4, 5, and 7; it shall be the duty of the Farmers' Bank, and Northern Bank, to make said loans in districts 6, 8, and 10.

§ 5. It shall be the duty of said banks, in making loans herein provided for, to divide the sum going to each district among the several counties composing such district, in proportion to the number of voters in each county, respectively, as near as may be: *Provided*, That if there be not good and satisfactory applications from any county for the full amount for which such county is entitled, within ninety days from the 1st March, 1861, then said banks may lend the remainder of the share of such county to citizens of other counties in the same district.

§ 6. That it shall be the duty of the president and directors of the banks aforesaid to make known to the Governor of this Commonwealth, within thirty days from the date of this act, whether or not they accept the provisions thereof, and undertake to make the loans as herein required; and in the event that one half of said banks agree to, and do accept the provisions of this act, and will undertake to make the loans aforesaid to all the districts in the State, this act shall be binding and obligatory as to such banks thus accepting the provisions of this act, to the extent of their *pro rata* share of the amount of the authorized re-issue, to be proportioned equally among the ten congressional districts in this State.

§ 7. That the re-issue provided for in this act, when made conformable thereto, shall be taken and received in payment and discharge of all dues and demands to the State of Kentucky, and all debts now owing to, or debts hereafter made payable in or to said banks, and shall be taken on deposit by the banks accepting this act: *Provided*, The banks shall not be required to pay any other kind of funds than those deposited.

§ 8. That the Northern Bank of Kentucky, Bank of Kentucky, Bank

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of Louisville, Bank of Ashland, and Southern Bank, be, and they are hereby, allowed to issue notes of less denomination than five dollars, anything in the acts restricting said banks to the contrary notwithstanding. This section shall be in force only two years from its passage. The Legislature hereby reserves the right to alter, amend, or repeal this eighth section of this act at pleasure.

§ 9. This act shall take effect from and after its passage.

And the question being taken, "Shall the bill pass, the veto of the Governor to the contrary notwithstanding?" it was decided in the negative.

The yeas and nays being demanded thereon by the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---------------------|----------------------|--------------------|
| T. T. Alexander, | William C. Gillis, | William B. Read, |
| William T. Anthony, | Robert E. Glenn, | L. H. Rousseau, |
| James R. Barrick, | Samuel Haycraft, | Cyrenius Wait, |
| John B. Bruner, | John M. Johnson, | E. Dudley Walker, |
| A. D. Cosby, | Chas. D. Pennebaker, | W. C. Whitaker—17. |
| John F. Fisk, | John A. Prall, | |

Those who voted in the negative, were—

| | |
|---|----------------------|
| Mr. Speaker, (Porter,) George Denny, | William H. McBrayer, |
| Landaff W. Andrews, J. E. Gibson, | Albert G. Rhea. |
| Charles Chambers, Asa P. Grover, | Henry M. Rust, |
| Benjamin P. Cissell, Thomas S. Grundy, | James Simpson, |
| Alex. L. Davidson, John L. Irvan, | Harrison Taylor, |
| Samuel E. DeHaven, Thornton F. Marshall, C. J. Walton—18. | |

And so said bill was rejected.

Messrs. Rhea and Walton moved to reconsider the vote by which the Senate rejected said bill.

The Speaker decided that the motion was not in order, as the vote just taken was one reconsidering the vote by which the Senate had passed the bill.

Mr. Rhea appealed from the decision of the Chair, and filed the following bill of exceptions:

Be it remembered, that on this day, the Senate having under consideration the Governor's veto of an act, entitled "An act to amend the charters of the banks of Kentucky," a vote was taken on the question, "Shall the bill become a law, the objections of the Governor to the contrary notwithstanding?" and stood, ayes 17, nays 18; and thereupon the Speaker declared the bill rejected; and thereupon A. G. Rhea, Senator from Logan, who had voted in the negative, moved a reconsideration of said vote, which motion was seconded by the Senator from Hart, also voting in the negative. The Speaker decided the motion to reconsider out of order—from which decision the Senator from Logan prayed an appeal.

And the question being taken, "Shall the decision of the Chair stand as the decision of the Senate?" it was decided in the negative.

The yeas and nays being demanded thereon by Messrs. Alexander and Rhea, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|----------------------|--------------------|----------------------|
| Landaff W. Andrews, | Samuel E. DeHaven, | John L. Irvan, |
| Charles Chambers, | John F. Fisk, | William H. McBrayer, |
| Benjamin P. Cissell, | J. E. Gibson, | John A. Prall, |
| Alex. L. Davidson, | Asa P. Grover, | Henry M. Rust—12. |

Those who voted in the negative, were—

| | | |
|---------------------|-----------------------|----------------------|
| T. T. Alexander, | Robert E. Glenn, | Albert G. Rhea, |
| William T. Anthony, | Thomas S. Grundy, | James Simpson, |
| James R. Barrick, | Samuel Haycraft, | Harrison Taylor, |
| John B. Bruner, | John M. Johnson, | Cyrenius Wait. |
| A. D. Cosby, | Thornton F. Marshall, | E. Dudley Walker, |
| George Denny, | Chas. D. Pennebaker, | Claiborne J. Walton, |
| William C. Gillis, | William B. Read, | W. C. Whitaker—21. |

And so said decision was reversed.

The question was then taken on reconsidering the vote by which said bill was rejected.

And it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Taylor and Walton, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---------------------|----------------------|----------------------|
| T. T. Alexander, | Thomas S. Grundy, | Albert G. Rhea, |
| William T. Anthony, | Samuel Haycraft, | L. H. Rousseau, |
| James R. Barrick, | Samuel H. Jenkins, | Cyrenius Wait, |
| John B. Bruner, | John M. Johnson, | E. Dudley Walker, |
| A. D. Cosby, | Chas. D. Pennebaker, | Claiborne J. Walton, |
| William C. Gillis, | William B. Read, | W. C. Whitaker—19. |
| Robert E. Glenn, | | |

Those who voted in the negative, were—

| | |
|--------------------------------------|-----------------------|
| Mr. Speaker, (Porter,) George Denny, | Thornton F. Marshall, |
| Landaff W. Andrews, John F. Fisk, | William H. McBrayer, |
| Charles Chambers, J. E. Gibson, | John A. Prall, |
| Benjamin P. Cissell, Asa P. Grover, | James Simpson, |
| Alex. L. Davidson, John L. Irvan, | Harrison Taylor—16. |
| Samuel E. DeHaven, | |

And so said vote was reconsidered.

The question was then again taken, "Shall the bill pass, the veto of the Governor to the contrary notwithstanding?" and it was decided in the negative.

The yeas and nays being required thereon by the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---------------------|----------------------|--------------------|
| T. T. Alexander, | Samuel Haycraft, | Albert G. Rhea, |
| William T. Anthony, | Samuel H. Jenkins, | L. H. Rousseau, |
| James R. Barrick, | John M. Johnson, | Cyrenius Wait, |
| John B. Bruner, | Chas. D. Pennebaker, | E. Dudley Walker, |
| A. D. Cosby, | John A. Prall, | C. J. Walton, |
| William C. Gillis, | William B. Read, | W. C. Whitaker—19. |
| Robert E. Glenn, | | |

Those who voted in the negative, were—

| | |
|--------------------------------------|-----------------------|
| Mr. Speaker, (Porter,) George Denny. | John L. Irvan, |
| Landaff W. Andrews, John F. Fisk, | Thornton F. Marshall, |
| Charles Chambers, J. E. Gibson, | William H. McBrayer, |
| Benjamin P. Cissell, Asa P. Grover, | James Simpson, |
| Alex. L. Davidson, Thomas S. Grundy, | Harrison Taylor—16. |
| Samuel E. DeHaven, | |

And so said bill was again rejected.

A message from the Governor was received by the hands of the Hon. Thomas B. Monroe, jr., which is as follows, viz:

EXECUTIVE DEPARTMENT,
December 25, 1861.}

Gentlemen of the Senate:

I nominate for your advice and consent, the following persons as notaries public for the counties named, viz:

- Geo. W. Trabue, for Barren county.
- Benj. F. Graves, for Fayette county.
- Michael Murphy, for Jefferson county.
- Alex. B. Ferguson, for Jefferson county.
- Isaac R. Greene, for Jefferson county.
- J. Q. Chenowith, for Mercer county.
- Roland S. Burns, for Pike county.
- James K. Duke, jr., for Kenton county.
- B. L. D. Guffy, for Butler county.
- F. M. Murray, for McCracken county.
- O. Somes, for McCracken county.

B. MAGOFFIN.

Also transmitting, in response to a resolution of the Senate, the following reports of different banks:

Condition of the Northern Bank of Kentucky and Branches, October 31st, 1860.
MEANS.

| | |
|-----------------------------|----------------|
| Bills discounted..... | \$1,267,538 80 |
| Bills matured unpaid..... | 125,941 25 |
| Bills of exchange | 3,078,705 07 |
| Time investments | 15,000 00 |
| Suspended debt..... | 76,995 55 |
| <hr/> | |
| Amount carried forward..... | \$4,564,180 67 |

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| | |
|------------------------|-----------------------|
| Amount brought forward | \$4,564,180 67 |
| Corporation bonds | 20,000 00 |
| Real estate | 83,873 81 |
| Due from banks | 1,061,025 35 |
| Gold and silver | 724,568 81 |
| Branch notes | 84,612 00 |
| Notes of other banks | 157,788 00 |
| Railroad scrip | 1,871 50 |
| Expenses | 18,386 02 |
| | <u>\$6,716,306 16</u> |

LIABILITIES.

| | |
|-----------------------------------|-----------------------|
| Capital stock | \$2,250,000 00 |
| Circulation | 2,047,622 00 |
| Due to banks | 842,752 29 |
| Individual depositors | 933,198 86 |
| Fund to cover losses | 59,543 78 |
| Dividends | 8,901 29 |
| Contingent fund | 45,000 00 |
| Profit and loss | 420,688 44 |
| Discounts, interest, and exchange | 108,599 50 |
| | <u>\$6,716,306 16</u> |

A. F. HAWKINS, *Cashier.*

NORTHERN BANK OF KENTUCKY, Lexington, Oct. 31st, 1860.

Rates of exchange, same as last report, except bills maturing at New Orleans, which, for bills maturing in March, rates—interest and $1\frac{1}{4}$ $\frac{1}{2}$ cent.; bills maturing in April and May, rates—interest and $1\frac{1}{2}$ $\frac{1}{2}$ cent.

Condition of the Northern Bank of Kentucky and Branches, Nov. 30th, 1860.

MEANS.

| | |
|----------------------|-----------------------|
| Bills discounted | \$1,180,457 11 |
| Bills matured unpaid | 99,699 34 |
| Bills of exchange | 2,899,032 86 |
| Time investments | 15,000 00 |
| Suspended debt | 74,650 60 |
| Corporation bonds | 20,000 00 |
| Real estate | 83,873 81 |
| Due from banks | 1,213,884 55 |
| Gold and silver | 889,800 28 |
| Branch notes | 115,119 00 |
| Notes of other banks | 169,823 00 |
| Railroad scrip | 1,871 50 |
| Expenses | 22,637 98 |
| | <u>\$6,785,850 13</u> |

LIABILITIES.

| | |
|-----------------------------------|-----------------------|
| Capital stock | \$2,250,000 00 |
| Circulation | 2,024,406 00 |
| Due to banks | 846,500 96 |
| Individual depositors | 999,171 53 |
| Fund to cover losses | 59,543 78 |
| Dividends | 8,019 29 |
| Contingent fund | 45,000 00 |
| Profit and loss | 420,688 44 |
| Discounts, interest, and exchange | 132,520 13 |
| | <u>\$6,785,850 13</u> |

A. F. HAWKINS, *Cashier.*

NORTHERN BANK OF KENTUCKY, Lexington, Dec. 5th, 1860.

Rates on bills of exchange, same as for October.

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Condition of the Northern Bank of Kentucky and Branches, January 31st, 1861.
MEANS.

| | |
|----------------------|-----------------------|
| Bills discounted | \$1,076,577 84 |
| Bills matured unpaid | 280,714 47 |
| Bills of exchange | 2,263,556 65 |
| Time investments | 18,400 00 |
| Suspended debt | 114,602 35 |
| Corporation bonds | 20,000 00 |
| Real estate | 83,873 81 |
| Due from banks | 1,484,567 09 |
| Gold and silver | 831,330 36 |
| Branch notes | 166,921 50 |
| Notes of other banks | 234,946 00 |
| Railroad scrip | 1,871 50 |
| Expenses | 5,399 24 |
| | <u>\$6,582,760 81</u> |

LIABILITIES.

| | |
|-----------------------------------|-----------------------|
| Capital stock | \$2,250,000 00 |
| Circulation | 1,814,871 00 |
| Due to banks | 978,383 04 |
| Individual depositors | 942,603 42 |
| Fund to cover losses | 74,543 78 |
| Dividends | 12,460 29 |
| Contingent expenses | 45,000 00 |
| Profit and loss | 434,577 03 |
| Fund to pay State tax | 8,000 00 |
| Discounts, interest, and exchange | 22,322 25 |
| | <u>\$6,582,760 81</u> |

| | |
|---------------------------|-----------------------|
| Circulation as above | \$1,814,871 00 |
| Less branch notes on hand | 166,921 00 |
| | <u>\$1,647,950 00</u> |

A. F. HAWKINS, *Cashier.*

NORTHERN BANK OF KENTUCKY, February 6, 1861.

Rates on bills of exchange, same as for December, previously reported.

Condition of the Northern Bank of Kentucky and Branches, Feb. 28th, 1861.
MEANS.

| | |
|----------------------|-----------------------|
| Bills receivable | \$1,112,428 78 |
| Bills matured unpaid | 256,789 81 |
| Bills of exchange | 2,130,767 93 |
| Time investments | 18,400 00 |
| Suspended debt | 114,386 90 |
| Corporation bonds | 20,600 00 |
| Real estate | 84,198 81 |
| Due from banks | 1,629,243 3 |
| Gold and silver | 788,464 28 |
| Branch notes | 167,381 50 |
| Notes of other banks | 228,465 00 |
| Railroad scrip | 1,871 50 |
| Expenses | 9,186 50 |
| | <u>\$6,562,184 24</u> |

[MAR. 25.]

MA

LIABILITIES.

| | |
|-----------------------------------|----------------|
| Capital stock | \$2,250,000 00 |
| Circulation | 1,734,725 00 |
| Due to banks | 1,002,725 80 |
| Individual depositors | 958,785 22 |
| Fund to cover losses | 74,543 78 |
| Dividends | 10,912 29 |
| Contingent fund | 45,000 00 |
| Profit and loss | 434,577 03 |
| Fund to pay tax | 8,000 00 |
| Discounts, interest, and exchange | 42,915 12 |
| | \$6,562,184 24 |

A. F. HAWKINS, *Cashier.*

NORTHERN BANK OF KENTUCKY, Lexington, March 5, 1861.

State of the Bank of Kentucky and Branches, January 1, 1861.

RESOURCES.

| | |
|---|----------------|
| Notes discounted | \$1,562,405 53 |
| Bills of exchange | 3,968,974 63 |
| | \$5,531,380 16 |
| Suspended debt in suit | \$188,196 05 |
| 126 bonds of the city of Louisville, 6 per cent. cost | 94,750 00 |
| Stock and bonds of other corporations, &c. | 7,498 79 |
| Real estate for debt | 55,285 95 |
| Real estate and stocks of Schuykill Bank | 132,756 42 |
| | 478,487 21 |
| Due from banks, &c., other than Eastern | 913,126 14 |
| Real estate for banking houses | 80,942 06 |
| CASH—Gold and silver | |
| Notes of other banks | \$634,868 58 |
| On deposit in banks in Philadelphia, New York, and | 256,908 00 |
| Baltimore | 418,346 71 |
| | 1,310,123 29 |
| | \$8,314,058 86 |

LIABILITIES.

| | |
|--|----------------|
| Capital stock | \$3,700,000 00 |
| Contingent fund of 2 per cent., reserved by charter | \$74,000 00 |
| Fund to cover losses by bad debts | 75,793 10 |
| Profit and loss balance after deducting present dividend | 455,082 39 |
| | 604,875 49 |
| Dividends uncalled for | 6,466 86 |
| Dividend No. 46, January, 1861, 4 per cent. | 148,000 00 |
| Due to depositors | 774,683 85 |
| Due to banks | 958,167 63 |
| Circulation | \$1,896,140 00 |
| Less amount on hand | 380,803 00 |
| | 1,515,337 00 |
| Due to Treasurer of Kentucky | 606,598 03 |
| | \$8,314,058 86 |

S. H. BULLEN, *Cashier.*

BANK OF KENTUCKY, LOUISVILLE, January 7, 1861.

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Condition of the Farmers' Bank of Kentucky and Branches, December 31, 1860.

MEANS.

| | |
|---------------------------------|----------------|
| Notes discounted..... | \$867,595 15 |
| Bills of exchange..... | 2,092,643 31 |
| Suspended debt..... | 17,542 33 |
| | <hr/> |
| Due from other banks..... | \$2,977,780 79 |
| Real estate—banking houses..... | 265,201 58 |
| Cash on hand, viz: | <hr/> |
| In gold and silver..... | \$2,735 22 |
| In notes of other banks..... | 993,861 56 |
| | <hr/> |
| | \$4,319,579 15 |

LIABILITIES.

| | |
|--|----------------|
| Capital stock..... | \$1,700,000 00 |
| Notes in circulation..... | 1,781,905 00 |
| Due to other banks..... | 183,921 44 |
| Due to individual depositors..... | 346,122 61 |
| Dividends unclaimed..... | 1,342 40 |
| Contingent fund..... | \$40,000 00 |
| Profit and loss..... | 266,287 70 |
| | <hr/> |
| | 306,287 70 |
| | <hr/> |
| | \$4,319,579 15 |
| Contingent fund and profit and loss, as above..... | \$306,287 70 |
| Deduct dividend of five per cent. declared this day..... | 85,000 00 |
| | <hr/> |
| Leaves present surplus of..... | \$221,287 70 |

J. B. TEMPLE, *Cashier.*

FARMERS' BANK OF KENTUCKY, FRANKFORT, January 7th, 1861.

OFFICE FARMERS' BANK OF KENTUCKY,
Maysville, Dec. 13, 1860.}

To His Excellency, B. MAGOFFIN, Esq., Frankfort:

DEAR SIR: I inclose a list of the rates of exchange charged by this bank during the month of November.

With great respect,
JAS. A. JOHNSON, *Cashier.*Rates of exchange, in addition to interest, charged during November, 1860, by the
Maysville Branch of the Farmers' Bank of Kentucky.

Kentucky, 1 month, interest off.

Kentucky, 3 months, interest and $\frac{1}{2}$ per cent. exchange off.

Kentucky, 4 months, interest and 1 per cent. exchange off.

New York, 30 days, interest off.

Boston, 90 to 120 days, interest and $\frac{1}{2}$ per cent. exchange off.

New Orleans, 90 to 120 days, interest and 1 per cent. exchange off.

Mobile, 4 months, interest and 1 per cent. exchange off.

Cincinnati, 30 days, interest and $\frac{1}{4}$ per cent. exchange off.Cincinnati, 60 days, interest and $\frac{1}{2}$ per cent. exchange off.

Cincinnati, 90 to 120 days, interest and 1 per cent. exchange off.

Norwich and Providence, Conn., 30 days, interest and $\frac{1}{4}$ per cent. exchange off.

Ironton, Ohio, 4 months, interest and 1 per cent. exchange off.

Philadelphia, 30 days, interest and $\frac{1}{2}$ per cent. exchange off.

MAYSVILLE, December, 1860.

BANK OF ASHLAND,
Ashland, Ky., Oct. 2, 1860. }

HON. BERIAH MAGOFFIN GOVERNOR:

DEAR SIR: The rates of exchange charged on bills, over and above interest, by this bank, during last month, were the same as for the month of August.

Yours, respectfully,

E. W. MARTIN, *Cashier.*

BANK OF ASHLAND,
Ashland, Ky., Nov. 2, 1860. }

HON. B. MAGOFFIN, Governor, *Frankfort, Ky.:*

DEAR SIR: The rates of exchange, over and above interest, charged on bills by this bank, for the month of October, were the same as those reported for September.

Very respectfully, yours,

E. W. MARTIN, *Cashier.*

BANK OF ASHLAND,
Ashland, Ky., Dec. 1, 1860. }

HON. B. MAGOFFIN, *Governor:*

DEAR SIR: The rates of exchange on bills, over and above interest, charged by this bank for the month of November, were the same as those reported for October.

Yours, respectfully,

E. W. MARTIN, *Cashier.*

Copy of rates of exchange over and above legal interest, charged on bills by the Bank of Ashland and branch, for the month of August, 1860.

PARENT BANK.

On bills payable in Ironton, Portsmouth, Cincinnati, Ohio, Maysville, Covington, and Louisville, Ky., 60 days, $\frac{1}{2}$ of 1 per cent.; 4 months, 1 per cent.

On bills payable at all other points in Ohio, Kentucky, Indiana, and Virginia, 60 days, $\frac{3}{4}$ of 1 per cent.; 4 months, $1\frac{1}{2}$ per cent.

On bills payable in Tennessee, Illinois, Missouri, and other north-western States, 60 days, $1\frac{1}{4}$ of 1 per cent.; 4 months, $2\frac{1}{2}$ per cent.

On bills payable in the eastern cities, 60 days, $\frac{1}{4}$ of 1 per cent.; 4 months, $\frac{1}{2}$ of 1 per cent.

BRANCH AT SHELBYVILLE.

On bills payable in New York, Cincinnati, New Orleans, Nashville, Memphis, and other southern cities, 60 days and under, $\frac{1}{2}$ of 1 per cent.; 90 days, $\frac{3}{4}$ of 1 per cent.; 4 months, 1 per cent. On bills payable in St. Louis and other western cities, 60 days and under, 1 per cent.; 90 days, $1\frac{1}{2}$ per cent.; 4 months, 2 per cent.

On bills payable in Kentucky, 4 months and under, $\frac{1}{2}$ of 1 per cent.

NORTHERN BANK OF KENTUCKY,
Lexington, Feb. 26, 1861. }

HON. THOMAS B. MONROE, *Secretary of State:*

DEAR SIR: Your favor of to-day is received. Of course I am unable to say what the *stockholders* of the Northern Bank would do in regard to the acceptance or rejection of the four million post note act, in case it becomes a law. There might arise a case, in the afflictive dispensations of Providence, in which it might be advisable to accept it; but unless a great and disastrous change takes place, my most urgent advice to the stockholders will be not to accept it. I would greatly prefer undertaking to make as large a loan as is prudent with good money in the mode prescribed by the act, and I have written some letters to the banks of Kentucky, suggesting a voluntary action in concert for making two million of new loans in good money in the manner prescribed by the act. The replies I have received indicate that the banks are now doing all the business, and discounting all the paper, they can rely on being punctually paid, and are discounting considerably in small loans to facilitate payments of debts. I know such is the case here.

The banks would not be willing to loan to men who are already as deep in the banks as they should be, and still want more, or who are overwhelmed with debt; but where facilities are needed for actual business, and paper is based on actual transactions, the banks willingly buy such, and are able to do so with good money.

Respectfully, M. C. JOHNSON.

FARMERS' BANK OF KENTUCKY,
Frankfort, March 25, 1861. }

HON. THOS. B. MONROE, JR., *Secretary of State:*

DEAR SIR: As officers of this bank, we have heretofore stated the belief, in conversations with the Governor and other officers of this Commonwealth, that this bank would not accept the provisions of a bill passed by the two Houses of the Legislature, commonly known as the four million post note bill. The matter has been the frequent subject of conversation amongst the directors and officers of this bank, and we know of no dissent among them from this view.

We are striving to do all we can to afford relief to the community; but we have been satisfied that this measure would not only not afford relief, but would increase the pressure.

Very respectfully, P. SWIGERT, *President.*
J. B. TEMPLE, *Cashier.*

BANK OF KENTUCKY,
Louisville, March 16, 1861. }

DEAR SIR: The Yeoman containing the "Bill to amend the charters of the banks of Kentucky" was duly received, with the letter from the Secretary of State of the 26th ult., during my absence to New Orleans; but has subsequently been presented to the consideration of the Board

of Directors, and this bank declines accepting the same, if it should become a law.

Very respectfully, your obedient servant,

VIRGIL McKNIGHT, President.

To Gov. B. MAGOFFIN, Frankfort, Ky.

SOUTHERN BANK OF KENTUCKY,
Russellville, February 28, 1861. }

HON. THOMAS B. MONROE, JR., Secretary of State:

DEAR SIR: Your favor of the 26th inst. is received. The "Bill to amend the charters of the banks of Kentucky," which authorizes the issue of \$4,000,000 of post notes, has been considered by the directors of this bank; but no formal action has yet been taken. According to our advices from Frankfort to the 20th inst., the Governor had not then approved the bill.

In the opinion of some of our Directors, the provisions of this bill cannot afford the expected relief; but, on the contrary, may force back upon the banks, for redemption in coin, a large amount of the notes now in circulation, to make room for the large issue of post notes, thus crippling the usefulness of the banks, without giving relief to the community. In our opinion, the issue of post notes would probably have the effect to depreciate the currency, without increasing the volume of circulation to any large extent, as the banks cannot keep afloat a larger amount of circulating notes than the business of the country will sustain, unless the whole circulation is rendered irredeemable, and then it will depreciate in value in proportion to the excess of the issues beyond the wants of the country. With these views, it is not probable this board would accept the provisions of the bill, unless they should be accepted by the other banks of the State, and it should be deemed desirable for all to act in concert.

Very truly and respectfully, yours,

G. W. NORTON, President.

PEOPLE'S BANK OF KENTUCKY,
Bowling-Green, March 4, 1861. }

HON. THOS. B. MONROE, JR., Secretary of State:

DEAR SIR: Your favor of 26th February received, and reply as follows, in the absence of the President.

In our answer to the Senate Committee on Banks will be found the views and wishes of this bank. We are always sensible of the fact that we are the creatures of the Legislature, and when called on by that body, are willing to respond in aid of the people.

Our board of directors have had the act to which you refer under consideration, and have determined to accept the amended charter, if any of the other banks do; but whilst this is our *wish*, we think it prudent not to do so *alone*, fearing that this action on our part, with so small a capital, would afford but little relief, and might do us, as well as the people, an injury.

Respectfully,

A. G. HOBSON, Cashier.

BANK OF ASHLAND,
Ashland, Ky., March 2, 1861. }

HON. THOS. B. MONROE, JR., *Secretary of State*:

DEAR SIR: At a meeting of the directors of this bank, held this day, your communication of 26th ult., addressed to the President, inquiring if this bank would accept the provisions of "An act to amend the charters of the banks of Kentucky," passed during the recent sitting of the Legislature, was submitted for consideration, and by a unanimous vote, it was decided that this bank will not accept, if it should become a law.

By order of the board.

E. W. MARTIN, *Cashier.*

BANK OF LOUISVILLE,
Louisville, Ky., February 27, 1861. }

HON. THOS. B. MONROE, JR., *Secretary of State*:

DEAR SIR: Yours of yesterday received, and the law to amend the charters of the banks of Kentucky. As advised by my directors, this bank will be disinclined to accept said bill should it be approved by his Excellency.

I do not think it is the interest of this bank, nor do I think any one will be benefited by it except the borrower.

Yours, very respectfully,

JO SHUA B. BOWLES, *President.*

FARMERS' BANK OF KENTUCKY,
Frankfort, March 25, 1861. }

To His Excellency, B. MAGOFFIN, *Governor of Kentucky*:

DEAR SIR: Below I give you a list of the rates of exchange adopted by the board of directors for the government of this bank and branches, and which have undergone no change within the last six months, except so far as particular branches have reported changes to your Excellency, under the approval of the board here.

On examination of the charter and amendments thereto, I do not find that any monthly report is required to be made by this bank. Nevertheless, if any information which our books could exhibit should be required, it is at command.

Very respectfully,

J. B. TEMPLE, *Cashier.*

Rates of exchange to be charged by the Farmers' Bank of Kentucky and branches:

Bills on all points in Kentucky, $\frac{1}{2}$ per cent., without regard to time.

Bills on Boston, New York, Philadelphia, and Baltimore—30 days, interest off; 60 days, interest and $\frac{1}{4}$ per cent off; 90 days, interest and $\frac{3}{8}$ per cent. off; four months, interest and $\frac{1}{2}$ per cent. off; for each month over four, $\frac{1}{8}$ per cent. additional.

New Orleans—four months, interest and 1 per cent.; for each month less than four, $\frac{1}{4}$ per cent. less than 1 per cent.; for each month more than four, $\frac{1}{8}$ per cent. additional.

Mobile— $\frac{1}{4}$ per cent. in addition to New Orleans rates.

St. Louis—1 to 2 per cent., according to rates of Eastern exchange there.

New Albany, Madison, and Cincinnati—1 per cent.; on other points in Indiana, Ohio, and Missouri, $\frac{1}{2}$ per cent. in addition to rates on those cities. At Henderson branch, interest and $\frac{1}{2}$ per cent. on Evansville.

Chicago—2 per cent. and interest. On other points in the northwest, $\frac{1}{2}$ per cent additional.

Alabama, except Mobile; North and South Carolina, Georgia, and Virginia, $1\frac{1}{2}$ per cent. and interest for four months, and $\frac{1}{4}$ per cent. additional for each additional month.

Nashville and Memphis, 1 per cent. for four months, and $\frac{1}{4}$ per cent. for each additional month.

Ordered, That the Senate advise and consent to the nominations of notaries public above made, and that the Public Printer forthwith print 150 copies of the letters and reports communicated by the Governor for the use of the members of the General Assembly.

Under a suspension of the rules of the Senate,

Mr. Whitaker, from a select committee, laid before the Senate the report of the Deaf and Dumb Asylum.

Ordered, That said report be printed along with other reports heretofore laid before the Senate by said committee.

Mr. Read, from the Committee on Finance, to whom had been referred a bill of the following title, viz:

A bill to change the time of assessing taxable property.

Ordered, That said bill be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill being dispensed with, and the same having been engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

By same—

A bill to change the time of holding the Larue county court.

A bill for the benefit of Thomas Landrum and Henry Griffith, late sheriffs of McLean county.

Which were read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bills having been dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading

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of said bills having been dispensed with, and the same having been engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The Senate then, according to special order, took up for consideration a bill from the House of Representatives, of the following title, viz:

An act to amend the militia law.

Mr. Fisk moved to amend said bill.

Ordered, That the further consideration of said bill be postponed until to-morrow morning at 9½ o'clock, A. M.

Under a suspension of the rules,

Mr. Walton, from a select committee, reported the following bill, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the laws authorizing the holding of all courts at the spring, summer, and fall terms of said courts, to 1st November, 1861, in the counties of Green, Hart, and Taylor, except for the trial of criminal and penal causes, be, and they are hereby, repealed: *Provided, however*, That from and after the 1st of November, 1861, all the laws repealed by this act shall be in as full force and effect as though this act had not been passed.

§ 2. This act to take effect from its passage.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bill having been dispensed with,

Mr. Alexander moved to amend said bill, by adding the following as an additional section:

That the provisions of this bill be made applicable to all of the courts in this Commonwealth.

Sundry amendments were proposed to said bill, and rejected.

Mr. DeHaven moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the amendment offered by Mr Alexander, and it was decided in the negative.

The yeas and nays being demanded thereon by Messrs. Alexander and Pennebaker, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---------------------|--------------------|----------------------|
| T. T. Alexander, | John L. Irvan, | William H. McBrayer, |
| William T. Anthony, | Samuel H. Jenkins, | Cyrenius Wait, |
| Alex. L. Davidson, | John M. Johnson, | E. Dudley Walker—10. |
| J. E. Gibson, | | |

Those who voted in the negative, were—

| | | |
|------------------------|-----------------------|--------------------|
| Mr. Speaker, (Porter.) | William C. Gillis, | William B. Read, |
| Landaff W. Andrews, | Robert E. Glenn, | Albert G. Rhea, |
| James R. Barrick, | Asa P. Grover, | L. H. Rousseau, |
| John B. Bruner, | Thomas S. Grundy, | Henry M. Rust, |
| Charles Chambers, | Samuel Haycraft, | James Simpson, |
| Benjamin P. Cissell, | Thornton F. Marshall, | Harrison Taylor, |
| Samuel E. DeHaven, | Chas. D. Pennebaker, | C. J. Walton, |
| George Denny, | John A. Prall, | W. C. Whitaker—25. |
| John F. Fisk, | | |

And so said amendment was rejected.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being demanded thereon by Messrs. Alexander and Taylor, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---------------------|-----------------------|--------------------|
| William T. Anthony, | Thornton F. Marshall, | Henry M. Rust, |
| James R. Barrick, | William H. McBrayer, | Cyrenius Wait, |
| J. E. Gibson, | Chas. D. Pennebaker, | E. Dudley Walker, |
| Robert E. Glenn, | William B. Read, | C. J. Walton, |
| Samuel H. Jenkins, | Albert G. Rhea, | W. C. Whitaker—17. |
| John M. Johnson, | L. H. Rousseau, | |

Those who voted in the negative, were—

| | | |
|------------------------|--------------------|---------------------|
| Mr. Speaker, (Porter.) | Alex. L. Davidson, | Samuel Haycraft, |
| T. T. Alexander, | Samuel E. DeHaven, | John L. Irvan, |
| Landaff W. Andrews, | George Denny, | John A. Prall, |
| John B. Bruner, | John F. Fisk, | James Simpson, |
| Charles Chambers, | William C. Gillis, | Harrison Taylor—17. |
| Benjamin P. Cissell, | Thomas S. Grundy, | |

And so said bill was rejected.

Under a suspension of the rules,

Mr. Prall, from the Committee on Federal Relations, made the following report, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That on the first Monday in August, 1861, an election shall be held in all the voting precincts in this Commonwealth, for twelve commissioners to represent Kentucky in a border slave State Convention, to assemble in the city of Louisville on the first Monday in September next, or at such time after said first Monday in August as may be

agreed upon by the other border slave States, to meet such commissioners as may be appointed by the other border slave States, to devise and perfect, if possible, some plan of adjustment of existing national difficulties; two of said commissioners shall be elected by the State at large, and one by the legally qualified voters of each congressional district in this State.

§ 2. All laws of the State regulating the election of State officers shall be applicable to the commissioners from the State at large, and the laws regulating the election of members of Congress shall be applicable to the election of commissioners from the districts aforesaid.

§ 3. The Governor shall commission the delegates certified to be elected, and said delegates shall be entitled for their services to the same pay and mileage now allowed by law to members of the General Assembly.

§ 4. This act shall take effect from and after its passage.

Said bill was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bill being dispensed with,

Ordered, That said bill and report be made the special order for to-morrow at 3½ o'clock, P. M., and that the Public Printer forthwith print 150 copies of the same for the use of the members of the General Assembly.

Mr. Simpson, from the same committee, made the following as the report of a minority of said committee:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That an election shall be held on the first Saturday in May next, at all the election precincts in this State, to elect twelve delegates to a border slave State, and such other slave States as have not passed ordinances of secession, to meet at Frankfort, Kentucky; and said delegates shall be voted for and elected by the State at large in the same manner that State officers are now elected; and the same laws which apply to and regulate the mode of the election of State officers by the qualified voters of the whole State shall apply to and govern the election of said delegates.

§ 2. That the persons who may be thus elected shall be commissioned by the Governor as delegates to said convention, and are empowered to meet the delegates from the States aforesaid in convention, for the purpose of consultation, to determine and agree upon such terms of adjustment as will be satisfactory to the people of the States represented in said convention. A majority of the delegates elected in this State shall have the power to appoint the time for the meeting of convention.

§ 3. That this act shall take effect from its passage.

Same order as above.

The Senate then, according to special order, took up for consideration the following bill :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That the Auditor of Public Accounts be, and he is hereby, authorized and directed to draw his warrant on the treasury, in favor of Samuel M. Bemiss, for the sum of seven hundred dollars, *in full* for services rendered by him as Registrar of births, marriages, and deaths for the year 1860, under the act of the General Assembly, entitled "An act to amend an act requiring the registration of births, marriages, and deaths."

§ 2. That the assessor shall receive two cents for each list faithfully recorded in the regular discharge of his duty under said act, for the year 1861.

§ 3. That the act, entitled "An act to amend an act requiring the registration of births, marriages, and deaths," approved March 3d, 1860, be, and the same is hereby, repealed.

§ 4. This act to take effect from its passage.

Mr. Pennebaker moved to amend said bill, by striking out the first section.

The question being taken on said motion, it was decided in the negative.

The yeas and nays being demanded thereon by Messrs. Grover and Cissell, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---------------------|--------------------|------------------|
| Landaff W. Andrews, | Samuel Haycraft, | L. H. Rousseau, |
| John B. Bruner, | Samuel H. Jenkins, | Cyrenius Wait, |
| John F. Fisk, | John M. Johnson, | C. J. Walton—12. |
| Thomas S. Grundy, | C. D. Pennebaker, | |

Those who voted in the negative, were—

| | | |
|------------------------|--------------------|--------------------|
| Mr. Speaker, (Porter.) | Samuel E. DeHaven, | William B. Read, |
| T. T. Alexander, | J. E. Gibson, | Albert G. Rhea, |
| Wm. T. Anthony, | William C. Gillis, | Henry M. Rust. |
| James R. Barrick, | Robert E. Glenn, | James Simpson, |
| Charles Chambers, | Asa P. Grover. | Harrison Taylor, |
| Benjamin P. Cissell, | John L. Irvan, | E. Dudley Walker, |
| A. D. Cosby, | Wm. H. McBrayer, | W. C. Whitaker—22. |
| Alex. L. Davidson, | | |

And so said amendment was rejected.

Mr. Pennebaker moved to amend the 3d line of the 3d section of said bill, by striking out "repealed," and insert "re-enacted."

And the question being taken on said amendment, it was decided in the negative.

The yeas and nays being demanded thereon by Messrs. Grover and Rust, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---------------------|--------------------|------------------|
| Landaff W. Andrews, | Samuel Haycraft, | Albert G. Rhea, |
| John B. Bruner, | Samuel H. Jenkins, | L. H. Rousseau, |
| A. D. Cosby, | John M. Johnson, | Cyrenius Wait, |
| John F. Fisk, | C. D. Pennebaker, | C. J. Walton—12. |

Those who voted in the negative, were—

| | |
|--------------------------------------|----------------------|
| Mr. Speaker, (Porter,) J. E. Gibson, | William B. Read, |
| William T. Anthony, | William C. Gillis, |
| James R. Barrick, | Robert E. Glenn, |
| Charles Chambers, | Asa P. Grover, |
| Benjamin P. Cissell, | Thomas S. Grundy, |
| Alex. L. Davidson, | John L. Irvan, |
| Samuel E. DeHaven, | William H. McBrayer, |

And so said amendment was rejected.

Mr. Rhea moved to commit the bill to a select committee composed of Messrs. Fisk, Johnson, Walton, and Gibson.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being demanded thereon by Messrs. Rhea and Walker, were as follows, viz:

Those who voted in the affirmative, were—

| | |
|--|----------------------|
| Mr. Speaker, (Porter,) Thomas S. Grundy, | William B. Read, |
| T. T. Alexander, | Samuel Haycraft, |
| Landaff W. Andrews, | Samuel H. Jenkins, |
| John B. Bruner, | John M. Johnson, |
| John F. Fisk, | Chas. D. Pennebaker, |
| | C. J. Walton—15. |

Those who voted in the negative, were—

| | | |
|----------------------|--------------------|----------------------|
| William T. Anthony, | Samuel E. DeHaven, | William H. McBrayer, |
| James R. Barrick, | J. E. Gibson, | Henry M. Rust, |
| Charles Chambers, | William C. Gillis, | James Simpson, |
| Benjamin P. Cissell, | Robert E. Glenn, | Harrison Taylor, |
| A. D. Cosby, | Asa P. Grover, | E. Dudley Walker, |
| Alex. L. Davidson, | John L. Irvan, | W. C. Whitaker—18. |

Messrs. Chambers and Gillis moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

Ordered, That said bill be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with, and the same having been engrossed,

The question was then taken on its passage, and it was decided in the affirmative.

The yeas and nays being demanded thereon by the Constitution were as follows, viz :

Those who voted in the affirmative, were—

| | | |
|---|--|---|
| Mr. Speaker, (Porter,) T. T. Alexander, William T. Anthony, James R. Barrick, Charles Chambers, Benjamin P. Cissell, Alex. L. Davidson, | Samuel E. DeHaven, J. E. Gibson, William C. Gillis, Robert E. Glenn, Asa P. Grover, Thomas S. Grundy, John L. Irvan, | John M. Johnson, William H. McBrayer, James Simpson, Harrison Taylor, Cyrenius Wait, E. Dudley Walker, W. C. Whitaker—21. |
|---|--|---|

Those who voted in the negative, were—

| | | |
|--|---|---|
| Landaff W. Andrews, John B. Bruner, A. D. Cosby, John F. Fisk, | Samuel Haycraft, Samuel H. Jenkins, Chas. D. Pennebaker, William B. Read, | Albert G. Rhea, L. H. Rousseau, Henry M. Rust, C. J. Walton—12. |
|--|---|---|

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Gillis, from the Committee on Enrollments, reported that they had examined a bill originating in the Senate of the following title, viz :

An act to repeal the spring term of the several courts in Metcalfe county.

And bills originating in the House of Representatives, of the following titles, viz :

An act to amend the penal laws in relation to certain duties of county court clerks.

An act for the benefit of school district No. 48, in Pulaski county.

An act to prevent the trial of civil causes at the April term, 1861, of the Bullitt, and the March term, 1861, of the Carroll, Pulaski, and Nelson circuit courts, and the May term, 1861, of the Larue circuit court.

An act for the benefit of Elizabeth McKee, of Greenup county.

A resolution requesting the Governor to return the bill incorporating the Planters' Bank of Henderson.

And that the same were correctly enrolled.

Whereupon the Speaker affixed his signature to said bills and resolution, and they were returned to the committee, to be by them presented to the Governor for his approval and signature.

And then the Senate adjourned.

TUESDAY, MARCH 26, 1861.

Messrs. Andrews and Davidson moved to reconsider the vote by which the Senate on yesterday rejected a bill of the following title, viz:

A bill repealing all laws authorizing the holding of courts in the counties of Green, Hart, and Taylor.

Under a suspension of the rules of the Senate, said motion was taken up.

And the question being taken, "Shall the vote by which the Senate rejected said bill be reconsidered?" it was decided in the affirmative.

The yeas and nays being demanded thereon by Messrs. Alexander and Cissell, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---------------------|-----------------------|----------------------|
| William T. Anthony, | Samuel H. Jenkins, | William B. Read, |
| J. E. Gibson, | John M. Johnson, | L. H. Rousseau, |
| William C. Gillis, | Thornton F. Marshall, | Henry M. Rust, |
| Robert E. Glenn, | William H. McBrayer, | E. Dudley Walker, |
| Asa P. Grover, | Chas. D. Pennebaker, | Claiborne J. Walton, |
| Samuel Haycraft, | John A. Prall, | W. C. Whitaker—19. |
| John L. Irvin, | | |

Those who voted in the negative, were—

| | | |
|---|--------------------|---------------------|
| Mr. Speaker, (Porter,) Benjamin P. Cissell, | John F. Fisk, | |
| T. T. Alexander, | Alex. L. Davidson, | Thomas S. Grundy, |
| Landaff W. Andrews, | Samuel E. DeHaven, | James Simpson, |
| John B. Bruner, | George Denny, | Harrison Taylor—13. |
| Charles Chambers, | | |

And so said vote was reconsidered.

1. Mr. Pennebaker presented the petition of Eli P. Farmer and others, praying that a law be passed for the better protection of stock killed on the Louisville and Nashville railroad.

2. Mr. Rousseau presented the petition of Shrœder and Friske, praying the passage of certain acts and charters for certain Lodges of I. O. O. F.

3. Mr. Gibson presented the petition of M. Cawood, praying the passage of an act for his benefit.

Which were received, the reading dispensed with, and referred—the 1st and 2d to the Committee on the Judiciary, and the third to the Committee on Education.

Mr. Gillis, from the Committee on Enrollments, reported that they had examined a bill originating in the House of Representatives, entitled "An act to incorporate the Planters' Bank of Henderson,"

which, in compliance with a resolution, had been returned by the Governor to the General Assembly, and that the clerical error in the enrollment of said bill had been corrected.

Mr. McBrayer offered the following resolution:

Resolved by the Senate, That the Committee on Banks be requested to inquire into the propriety and expediency of authorizing the banks of this Commonwealth, as well as private individuals, to lend money at eight per centum per annum, and that they be permitted to take mortgages on real estate as security for payment; and that they report by bill or otherwise Wednesday, at 11 o'clock, A. M.

Mr. Fisk demanded a division of said resolution.

The question being taken on the first portion of said resolution, it was decided in the negative.

The yeas and nays being demanded thereon by Messrs. Jenkins and Prall, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Porter,) Samuel E. DeHaven, John A. Prall, T. T. Alexander, Thomas S. Grundy, L. H. Rousseau, Landaff W. Andrews, William H. McBrayer, Cyrenius Wait, Benjamin P. Cissell, Chas. D. Pennebaker, W. C. Whitaker—12.

Those who voted in the negative, were—

| | | |
|---------------------|--------------------|-----------------------|
| William T. Anthony, | John F. Fisk, | John M. Johnson, |
| James R. Barrick, | William C. Gillis, | Thornton F. Marshall, |
| John B. Bruner, | Robert E. Glenn, | Henry M. Rust, |
| Charles Chambers, | Asa P. Grover, | James Simpson, |
| A. D. Cosby, | Samuel Haycraft, | Harrison Taylor, |
| Alex. L. Davidson, | John L. Irvan, | E. Dudley Walker, |
| George Denny, | Samuel H. Jenkins, | C. J. Walton—21. |

And so said portion was rejected.

The question was then taken on the remaining portion of said resolution.

And it was rejected.

The Speaker appointed Messrs. Andrews, Grundy, and Bruner, to act in conjunction with such committee as may be appointed by the House of Representatives, to attend Mr. Crittenden to Hall of the House of Representatives.

A message was received from the House of Representatives, announcing that they had passed bills of the following titles, viz:

An act to confer additional jurisdiction in certain cases.

An act to incorporate Raywick Lodge, No. 299, of Free and Accepted Masons.

An act to amend an act in relation to the seminary lands of Lewis county.

An act to amend the 16th section, article 12, chapter 83, Revised Statutes.

An act to amend the 6th and 7th sections of chapter 88, Revised Statutes, entitled "Schools and Seminaries."

An act fixing the time of holding the Magoffin county court.

An act to amend the charter of the Louisville turnpike road company.

An act to amend the charter of the Stanford and Lancaster turnpike road company.

An act for the benefit of Jonathan Riley.

An act for the benefit of G. F. Robb, of McCracken county.

An act to authorize the granting of bowling alley license in the city of Columbus.

An act to amend an act to incorporate the Female Literary and Benevolent Institution of Nazareth, near Bardstown, approved December 29, 1829.

An act to amend the charter of the town of Brandenburg.

An act for the benefit of common school districts in Meade county.

An act for the benefit of the surveyor of Monroe county.

An act changing the time of holding the county and quarterly courts in Monroe county.

An act to amend an act authorizing the sale of Robinson Academy, in Adair county.

An act to amend the charter of the Ruddle's Mill and Shawhan Station turnpike road company.

An act to change the line of a precinct in Montgomery county.

An act to change a voting place in Powell county.

An act for the benefit of John W. Clay, late sheriff of Montgomery county.

An act for the benefit of W. R. Maupin, justice of the peace of Montgomery county.

An act to incorporate the Excelsior Literary Society, of Greenville.

An act to amend the charter of the towns of New Haven and Bloomfield.

An act for the benefit of the Sinking Fund Commissioners of Nelson county.

An act creating an additional justices' and voting district in Nelson county.

An act to incorporate Compass Lodge, No. 223, A. F. M., of Louisville.

An act to amend the city charter of Lexington.

And that they had passed an act originating in the Senate of the following title, viz:

An act to change school district No. 9, in Meade county.

And that they had concurred in the amendments proposed by the Senate to a House bill of the following title, viz:

An act to authorize the election of a police judge in the town of Irvine.

With an amendment to the Senate's amendments.

The Senate then, according to special order, took up for consideration a bill of the following title, viz:

An act to amend the militia law.

Mr. Fisk moved to amend said bill by striking out of the 14th section of the original bill, the fine of 15 cents for non-attendance of musters, and insert 10 cents.

Mr. Taylor offered an amendment to said bill by way of a substitute.

On motion of Mr. Fisk.

Ordered, That the further consideration of said proposition be postponed until to-morrow, at 11 o'clock, A. M.

The hour having arrived, the Senate, according to order, proceeded to the Hall of the House of Representatives, for the purpose of hearing the address of the Hon. J. J. Crittenden.

And after some time spent in joint session, Mr. Crittenden having finished his address,

The Senate returned to their chamber, and proceeded to the dispatch of business.

Under a suspension of the rules, the Senate took up from the orders of the day, a bill from the House of Representatives, of the following title, viz:

An act to amend the city charter of Lexington.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bill having been dispensed with,

Ordered, That said bill be referred to the Committee on Propositions and Grievances.

Mr. Johnson moved to adjourn.

And the question being taken on said motion, it was decided in the negative.

The yeas and nays being demanded thereon by Messrs. Fisk and Andrews, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---------------------------------------|-----------------------|--------------------|
| Mr. Speaker, (Porter,) Asa P. Grover, | Chas. D. Pennebaker, | |
| T. T. Alexander, | Samuel Haycraft, | Henry M. Rust, |
| Benjamin P. Cissell, | John M. Johnson, | Harrison Taylor, |
| A. D. Cosby, | Thornton F. Marshall, | W. C. Whitaker—14. |
| Alex. L. Davidson, | William H. McBrayer, | |

Those who voted in the negative, were—

| | | |
|---------------------|--------------------|-------------------|
| William T. Anthony, | J. E. Gibson, | William B. Read, |
| Landaff W. Andrews, | William C. Gillis, | Albert G. Rhea. |
| John B. Bruner, | Robert E. Glenn, | L. H. Rousseau, |
| Charles Chambers, | Thomas S. Grundy, | James Simpson, |
| Samuel E. DeHaven, | John L. Irvan, | Cyrenius Wait, |
| George Denny, | Samuel H. Jenkins, | E. Dudley Walker, |
| John F. Fisk, | John A. Prall, | C. J. Walton—21. |

Under a suspension of the rules,

Mr. DeHaven, from the Committee on Finance, to whom it had been referred, reported the following bill, which originated in the House of Representatives, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That in order to meet a casual deficit in the revenue, the Commissioners of the Sinking Fund are authorized, and it is hereby made their duty, to loan to the State of Kentucky the sum of one hundred thousand dollars out of the surplus money in the treasury to the credit of the Sinking Fund; and for the amount of said loan the Governor is authorized and required to issue a bond for, and on behalf of the Commonwealth, payable to the Commissioners of the Sinking Fund nine months after the date thereof, bearing interest at the rate of six per cent. per annum.

§ 2. The Commissioners of the Sinking Fund are also authorized, and it is hereby made their duty, to loan to the State of Kentucky the sum of one hundred thousand dollars out of the surplus money in the treasury to the credit of the Sinking Fund; and for the amount of said loan the Governor is authorized and required, upon the call of the Auditor and Treasurer, to issue a bond for and on behalf of the Commonwealth, payable to the Commissioners of the Sinking Fund six months after the date thereof, bearing interest at the rate of six per cent. per annum.

§ 3. The money which may be loaned to the State under this act, shall be placed in the treasury to the credit of the revenue proper, and subject to the warrants drawn by the Auditor for the ordinary expenditures of the government, including appropriations made by the Legislature.

§ 4. This act shall take effect from its passage.

Mr. Chambers offered an amendment.

Which was rejected.

Said bill was read a third time.

And the question being taken on the passage of said bill.

The yeas and nays being required thereon by the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

| | |
|--|--------------------|
| Mr. Speaker, (Porter,) J. E. Gibson, | John A. Prall, |
| T. T. Alexander, William C. Gillis, | William B. Read, |
| William T. Anthony, Robert E. Glenn, | Albert G. Rhea, |
| Landaff W. Andrews, Asa P. Grover, | L. H. Rousseau, |
| James R. Barrick, Thomas S. Grundy, | Henry M. Rust, |
| John B. Bruner, Samuel Haycraft, | James Simpson, |
| Benjamin P. Cissell, John L. Irvan, | Harrison Taylor, |
| A. D. Cosby, John M. Johnson, | Cyrenius Wait, |
| Alex. L. Davidson, Thornton F. Marshall, | E. Dudley Walker, |
| Samuel E. DeHaven, William H. McBrayer, | C. J. Walton, |
| George Denny, Chas. D. Pennebaker, | W. C. Whitaker—34. |
| John F. Fisk, | |

Those who voted in the negative, were—

Charles Chambers, Samuel H. Jenkins—2.

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Whitaker moved to adjourn.

And the question being taken on said motion, it was decided in the negative.

The yeas and nays being demanded thereon by Messrs. Fisk and Grover, were as follows, viz:

Those who voted in the affirmative, were—

| | |
|---|--------------------|
| Mr. Speaker, (Porter,) Samuel Haycraft, | Henry M. Rust, |
| T. T. Alexander, Thornton F. Marshall, | James Simpson, |
| Benjamin P. Cissell, William H. McBrayer, | Harrison Taylor, |
| A. D. Cosby, C. D. Pennebaker, | E. Dudley Walker, |
| Alex. L. Davidson, John A. Prall, | W. C. Whitaker—17. |
| George Denny. Albert G. Rhea, | |

Those who voted in the negative, were—

| | |
|--|--------------------|
| William T. Anthony, J. E. Gibson, | Samuel H. Jenkins, |
| Landaff W. Andrews, William C. Gillis, | John M. Johnson, |

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|--------------------|-------------------|------------------|
| John B. Bruner, | Robert E. Glenn, | William B. Read, |
| Charles Chambers, | Asa P. Grover, | Cyrenius Wait, |
| Samuel E. DeHaven, | Thomas S. Grundy, | C. J. Walton—17. |
| John F. Fisk, | John L. Irvan, | |

Under a suspension of the rules of the Senate,

Mr. Rousseau, from a select committee, reported a bill of the following title, viz:

A bill to amend the Civil Code of Practice.

Said bill was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bill having been dispensed with,

Ordered, That the Public Printer forthwith print, for the use of the members of the General Assembly, 150 copies of said bill, and that it be placed in the orders of the day.

Mr. Pennebaker moved to adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being demanded thereon by Messrs. Andrews and Fisk, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|----------------------|-----------------------|----------------------|
| T. T. Alexander, | Alex. L. Davidson, | Chas. D. Pennebaker, |
| Benjamin P. Cissell, | Thornton F. Marshall, | Henry M. Rust, |
| A. D. Cosby, | William H. McBrayer, | Harrison Taylor—9. |

Those who voted in the negative, were—

| | |
|--|-------------------|
| Mr. Speaker, (Porter,) J. E. Gibson, | John M. Johnson, |
| William T. Anthony, William C. Gillis, | John A. Prall, |
| Landaff W. Andrews, Robert E. Glenn, | William B. Read, |
| James R. Barrick, Asa P. Grover, | Albert G. Rhea, |
| John B. Bruner, Thomas S. Grundy, | L. H. Rousseau, |
| Charles Chambers, Samuel Haycraft, | James Simpson, |
| Samuel E. DeHaven, John L. Irvan, | E. Dudley Walker, |
| George Denny, Samuel H. Jenkins, | C. J. Walton—25. |
| John F. Fisk, | |

Under a suspension of the rules,

Mr. Alexander, from the Committee on County Courts, reported a bill of the following title, viz:

A bill authorizing a transcript of certain records and making indexes in the county court clerk's office of Rockcastle.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bill having been dispensed with,

Ordered, That said bill be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with, and the same having been engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The hour having arrived, the Senate proceeded, according to special order, to consider the majority and minority reports from the Committee on Federal Relations.

Ordered, That the further consideration of said reports be postponed until to-morrow, at 12 o'clock, M.

According to general order, the Senate took up for consideration bills from the House of Representatives, of the following titles, viz:

An act authorizing the election of a police judge in the town of Irvine.

Ordered, That the Senate concur in the amendment by the House of Representatives to the amendments proposed by the Senate to said bill.

An act for the benefit of Fanny Cerf.

Mr. Rousseau offered an amendment to said bill.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with,

Ordered, That said bill be rejected.

Messrs. Andrews and Rhea moved to reconsider the vote by which said bill was rejected.

And further action on said motion was for the present postponed.

The Senate then took up for consideration the following bill, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That an act, entitled "An act to amend the law creating a Board of Supervisors of Tax, approved February 15th, 1858; also an act, entitled "An act to amend article 7, chapter 83, Revised Statutes, relative to the Board of Supervisors," approved February 16th, 1858, be, and the same are hereby, repealed, together with the amendment thereto, approved February 28th, 1860.

§ 2. That the first section, article seventh, chapter eighty-three, of the Revised Statutes, be, and the same is hereby, re-enacted.

§ 3. This act shall take effect from its passage.

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being demanded thereon by Messrs. Andrews and Fisk, were as follows, viz :

Those who voted in the affirmative, were—

| | | |
|-------------------|----------------------|----------------------|
| T. T. Alexander, | Benjamin P. Cissell, | Samuel H. Jenkins, |
| Wm. T. Anthony, | William C. Gillis, | John M. Johnson, |
| James R. Barrick, | Robert E. Glenn, | Albert G. Rhea, |
| Charles Chambers, | Asa P. Grover, | E. Dudley Walker—12. |

Those who voted in the negative, were—

| | |
|--|--------------------|
| Mr. Speaker, (Porter,) J. E. Gibson, | William B. Read, |
| Landaff W. Andrews, Thomas S. Grundy, | L. H. Rousseau, |
| John B. Bruner, Samuel Haycraft, | James Simpson, |
| A. D. Cosby, John L. Irvan, | Harrison Taylor, |
| Alex. L. Davidson, Thornton F. Marshall, | Cyrenius Wait, |
| Samuel E. DeHaven, Wm. H. McBrayer, | C. J. Walton, |
| George Denny, C. D. Pennebaker, | W. C. Whitaker—22. |
| John F. Fisk, | |

And so said bill was rejected.

1. An act to amend the charter of the Paris and Bethlehem turnpike road company.
2. An act to confer additional jurisdiction in certain cases.
3. An act incorporating the town of Quincy, in Lewis county.
4. An act to incorporate Raywick Lodge, No. 229, of Free and Accepted Masons.
5. An act to amend the act in relation to the seminary lands in Lewis county.
6. An act to amend the 16th section, article 12th, chapter 83, Revised Statutes.
7. An act to amend sections 6 and 7, chapter 88, Revised Statutes, entitled "Schools and Seminaries."
8. An act fixing the time of holding the Magoffin county court.
9. An act to amend the charter of the Louisville turnpike road company.
10. An act to amend the charter of the Stanford and Lancaster turnpike road company.
11. An act for the benefit of Jonathan Riley.
12. An act for the benefit of George F. Rabb, of McCracken county.

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13. An act to authorize the granting of bowling alley licenses in the city of Covington.
14. An act to amend an act to incorporate the Female Benevolent and Literary Institution of Nazareth, near Bardstown, approved December 29, 1829.
15. An act to amend the charter of the town of Brandenburg.
16. An act for the benefit of common schools in Meade county.
17. An act for the benefit of the surveyor of Monroe county.
18. An act changing the time of holding the county and quarterly courts in Monroe county.
19. An act authorizing the sale of Robinson Academy, in Adair county.
20. An act for the benefit of common school districts in Meade county.
21. An act to amend the charter of the Ruddle's Mill and Shawhan's Station turnpike road company.
22. An act to change the line of a precinct in Montgomery county.
23. An act to change a voting place in Powell county.
24. An act for the benefit of John W. Clay, late sheriff of Montgomery county.
25. An act for the benefit of W. R. Maupin, justice of the peace in Montgomery county.
26. An act to incorporate the Excelsior Literary Society of Greenville.
27. An act to amend the charters of the towns of Bloomfield and New Haven.
28. An act for the benefit of the sinking fund commissioners of Nelson county.
29. An act creating an additional justices' and election district in Nelson county.
30. An act to incorporate Compass Lodge, No. 223, of Louisville.
Which were read the first time, and ordered to be read a second time.
. The rule of the Senate, constitutional provision, and second reading of said bills having been dispensed with,
Mr. Johnson offered an amendment to the 27th.
Which was adopted.
Ordered, That the 12th be placed again in the orders of the day; that the 15th be laid on the table; that the 1st and 10th be referred to

the Committee on Internal Improvement; the 2d, 7th, 11th, 13th, 24th, 25th, be referred to the Committee on the Judiciary; the 5th to the Committee on Education; the 6th to the Committee on the Revised Statutes; the 8th to the Committee on County Courts; and that the 3d, 4th, 9th, 14th, 16th, 17th, 18th, 19th, 20th, 21st, 22d, 23d, 26th, 27th, 28th, 29th, and 30th, be read a third time.

The rule of the Senate, constitutional provision, and third reading of said bills having been dispensed with, and the same having been engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The Senate then took up for consideration the following joint resolutions, read and laid upon the table on yesterday by Mr. Rousseau:

WHEREAS, This General Assembly is informed that certain persons, acting as a Congress of the seceding States, have assumed power to obstruct and regulate the free navigation of the Mississippi river by the citizens of this Union, to which it belongs; therefore, be it

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That Kentucky having as much right to the Mississippi river, and its free, unobstructed navigation, as Louisiana, or any other State, and that right being of vital importance to her people, feels it her duty to herself and her sister States, at the earliest day, to make this, her most solemn protest, against any assumption of such power to control the navigation of that river as utterly without right or proper authority, and as what she cannot and will not submit to.

2. *Resolved further*, That the States in the valley of the Mississippi be earnestly requested to unite with Kentucky in this protest against the violation of a mutual right so vitally important to them all, and which their permanent interests forbid should ever rest in the discretion of any government, save that under which they live.

3. *Resolved*, That the Governor be requested to transmit copies of these resolutions to the Executives of the States aforesaid.

The hour of adjournment having arrived, the Senate, without having taken any action on said resolutions,

Adjourned.

WEDNESDAY, MARCH 27, 1861.

The Speaker laid before the Senate the following communication:

MAYOR'S OFFICE,
Louisville, Ky., March 25th, 1861.]

HON. THOS. P. PORTER, *Speaker of the Senate*:

DEAR SIR: I herewith transmit to you a copy of the resolution passed this day, by the board of court-house commissioners, tendering the use of the court-house in Louisville to the members of the proposed Convention of the Border Slave States, should the Legislature deem it proper to designate this as the place of meeting.

I have the honor to be,

Very respectfully, your ob't servant,
THOMAS H. CRAWFORD, *Mayor*.

At a meeting of the board of commissioners of the Louisville court-house, on Monday, the 25th March, 1861, it was unanimously—

Resolved, That the use of the Louisville court-house is hereby tendered, through the State of Kentucky, to the contemplated Border State Convention.

A copy. THOS. H. CRAWFORD, *Chairman*.

THOS. P. SMITH, *Secretary*.

Ordered, That the Public Printer forthwith print 150 copies of the same for the use of the members of the General Assembly.

Mr. Alexander presented the petition of sundry citizens of Barren county, praying the establishment of a State Bank, and for other relief.

Which was received, the reading dispensed with, and referred to the Committee on Banks.

A message was received from the House of Representatives, announcing that they had passed bills of the following titles, viz:

An act declaring Eagle creek a navigable stream.

An act for the benefit of A. G. Wileman, of Pendleton county.

An act for the benefit of Wm. B. Woods, of Pulaski county.

An act creating an additional justices' district and voting place in Floyd county.

An act for the benefit of A. C. Boarman, late sheriff of Breathitt county.

An act concerning the town of West Liberty, in Morgan county.

An act to authorize Wm. Ratliff, a constable in Pike county, to appoint a deputy.

An act to repeal an act to establish an additional voting precinct in Carter county.

An act to authorize the Georgetown and Long Lick turnpike road company to erect a toll-gate.

An act for the benefit of the Shelbyville and Westport turnpike road company.

An act to amend the charter of the town of Consolation, in Shelby county.

An act to amend the charter of the town of Mount Eden, in Spencer county.

An act to close a certain alley in the town of Campbellsville.

An act to repeal in part an act requiring the surveyors in the counties of Logan and Todd to keep their office at the county seats.

An act to incorporate the town of Linton, in Trigg county.

An act to amend an act to incorporate the town of Providence.

An act for the benefit of Martha A. Carbien.

An act to amend an act, entitled "An act to prevent the wanton destruction of fish in Green river and its tributaries."

An act for the benefit of the trustees of district No. 51, Washington county.

An act to aid in the construction of the Lexington and Southern Kentucky railroad company.

An act authorizing trustees of common school districts in Whitley county to levy and collect a tax for building and repairing school-houses.

An act in relation to the circuit, quarterly, and justices' courts in Whitley county.

An act providing for the election of school commissioners in Whitley county.

An act for the benefit of the Versailles Female Academy.

An act to incorporate the Harmonia Benevolent Society of Louisville.

An act to amend the charter of the Richmond and Tate's Creek turnpike road company.

An act for the benefit of common school district No. 55, in Allen county.

Bills of the following titles were reported, viz :

By Mr. Walton, from the Committee on Executive Affairs—

A bill to amend the charter of the town of Hammondsburg, in Hart county.

By Mr. Pennebaker, from the Committee on the Revised Statutes—
A bill to amend the charter of the American Printing House for the
Blind.

By Mr. Fisk, from the same—

A bill to incorporate the Paris Gas-light Company.

A bill to incorporate Clark Lodge, No. 51, A. Y. M., of Louisville.

A bill giving further time to ministers of the gospel and other persons to return marriage licenses.

Which were read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bills having been dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of said bills having been dispensed with, and the same having been engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. DeHaven, from the Committee on Finance, to whom had been referred a House bill of the following title:

An act for the benefit of George T. Halbert, of Lewis county,
Reported the same with an amendment.

Which was adopted.

Mr. Fisk, from the Committee on the Revised Statutes, to whom had been referred a House bill of the following title :

An act authorizing the election of a police judge and town marshal in the town of Leesburg, in Harrison county,

Reported the same with an amendment.

Which was adopted.

Ordered, That said bills, as amended, be read a third time.

The rule of the Senate, constitutional provision, and third reading of said bills being dispensed with, and the same having been engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives of the following titles, were reported by Mr. Fisk, from the Committee on Revised Statutes, to whom they had been referred, without amendments :

An act for benefit of H. B. Bohannon and Francis M. Potts.

An act for the benefit of Mrs. M. E. Petty, of Mercer county.

Ordered, That the second be rejected, and that the first be read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

By same—

An act to sell some of the public books.

Said bill was read a third time.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being demanded thereon by Messrs. Alexander and Cissell, were as follows, viz:

Those who voted in the affirmative, were—

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|--------------------------------------|---|
| Mr. Speaker, (Porter,) John F. Fisk, | William B. Read, |
| Landalf W. Andrews, Asa P. Grover, | Albert G. Rhea, |
| John B. Bruner, | Samuel Haycraft, |
| Benjamin P. Cissell, | Henry M. Rust, |
| A. D. Cosby, | John L. Irvin, |
| William S. Darnaby, | James Simpson, |
| Samuel E. DeHaven, | John M. Johnson, |
| George Denny, | Harrison Taylor, |
| | Thornton F. Marshall, C. J. Walton, |
| | Chas. D. Pennebaker, W. C. Whitaker—23. |
| | John A. Prall, |

Those who voted in the negative, were—

| | | |
|---------------------|--------------------|----------------------|
| T. T. Alexander, | William C. Gillis, | Samuel H. Jenkins, |
| William T. Anthony, | Robert E. Glenn, | William H. McBrayer, |
| Charles Chambers, | Thomas S. Grundy, | Cyrenius Wait—10. |
| J. E. Gibson, | | |

And so said bill was rejected.

Mr. Fisk, from the same committee, reported a bill, entitled

An act for the purpose of authorizing a suit against the State of Kentucky, in favor of certain parties.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the administrator of Martin Looker, or the surviving partner of the firm of Martin Looker & Co., may file a petition in the Louisville chancery court against the State of Kentucky, for the recovery of any money the State may be indebted to said firm on account of the over-payment for billiard license.

§ 2. Said suit shall progress in all respects like other suits in said court, according to the rules thereof; except the service of the sum-

mons on the attorney for the Commonwealth for the seventh judicial district shall be sufficient.

§ 3. This act to take effect from its passage.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bill having been dispensed with,

Ordered, That said bill be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with, and the same having been engrossed,

The question was then taken on its passage, and it was decided in the affirmative.

The yeas and nays being demanded thereon by Messrs. DeHaven and Walton, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|----------------------|-----------------------|----------------------|
| T. T. Alexander, | George Denny, | William H. McBrayer, |
| William T. Anthony, | John F. Fisk, | Chas. D. Pennebaker, |
| Landaff W. Andrews, | William C. Gillis, | William B. Read, |
| John B. Bruner, | Asa P. Grover, | L. H. Rousseau, |
| Charles Chambers, | Samuel H. Jenkins, | Henry M. Rust, |
| Benjamin P. Cissell, | John M. Johnson, | E. Dudley Walker—20. |
| William S. Darnaby, | Thornton F. Marshall, | |

Those who voted in the negative, were—

| | | |
|--------------------|------------------|--------------------|
| A. D. Cosby, | Samuel Haycraft, | Harrison Taylor, |
| Samuel E. DeHaven, | John L. Irvin, | Cyrenius Wait, |
| J. E. Gibson, | Albert G. Rhea, | C. J. Walton, |
| Robert E. Glenn, | James Simpson, | W. C. Whitaker—12. |

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Taylor read and laid upon the table the following joint resolution, viz:

1. *Be it resolved by the General Assembly of the Commonwealth of Kentucky*, That the act of Congress providing for the holding of terms of the United States court for the Kentucky district, at the cities of Covington, Louisville, and Paducah, was, and is not required for the proper administration of the federal laws within this Commonwealth.

2. *Be it further resolved*, That our Senators and Representatives in Congress be requested to procure the repeal of the act alluded to in the first resolution.

Under a suspension of the rules, said resolutions were taken up.

And the question being taken on the adoption of said resolutions, it was decided in the negative.

The yeas and nays being demanded thereon by Messrs. Rust and Whitaker, were as follows, viz:

Those who voted in the affirmative, were—

| | |
|---|--------------------|
| Mr. Speaker, (Porter,) William C. Gillis, | Albert G. Rhea, |
| Landaff W. Andrews, Asa P. Grover, | Henry M. Rust, |
| Charles Chambers, Thomas S. Grundy, | Harrison Taylor, |
| A. D. Cosby, Samuel Haycraft, | E. Dudley Walker, |
| William S. Darnaby, William H. McBrayer, | W. C. Whitaker—17. |
| J. E. Gibson, | John A. Prall, |

Those who voted in the negative, were—

| | |
|---|------------------|
| T. T. Alexander, Robert E. Glenn, | William B. Read, |
| William T. Anthony, John L. Irvan, | L. H. Rousseau, |
| Benjamin P. Cissell, Samuel H. Jenkins, | James Simpson, |
| Samuel E. DeHaven, John M. Johnson, | Cyrenius Wait, |
| George Denny, Thornton F. Marshall, | C. J. Walton—17. |
| John F. Fisk, Chas. D. Pennebaker, | |

And so said resolutions were rejected.

The Senate then, according to special order, took up for consideration the resolutions offered by Mr. Simpson on a former day of the session.

Mr. Andrews moved the previous question.

Which was seconded by Mr. Marshall.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the adoption of said resolutions, and it was decided in the affirmative.

The yeas and nays being demanded thereon by Messrs. Andrews and Rust, were as follows, viz:

Those who voted in the affirmative, were—

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|--|----------------------|
| Mr. Speaker, (Porter,) J. E. Gibson, | John A. Prall, |
| T. T. Alexander, William C. Gillis, | William B. Read, |
| William T. Anthony, Robert E. Glenn, | Albert G. Rhea, |
| Landaff W. Andrews, Asa P. Grover, | L. H. Rousseau, |
| John B. Bruner, Thomas S. Grundy, | Henry M. Rust, |
| Benjamin P. Cissell, Samuel Haycraft, | James Simpson, |
| A. D. Cosby, John L. Irvan, | Harrison Taylor, |
| William S. Darnaby, Samuel H. Jenkins, | Cyrenius Wait, |
| Alex. L. Davidson, John M. Johnson, | E. Dudley Walker, |
| Samuel E. DeHaven, Thornton F. Marshall, | Claiborne J. Walton, |
| George Denny, William H. McBrayer, | W. C. Whitaker—35. |
| John F. Fisk, Chas. D. Pennebaker, | |

In the negative—none.

And so said resolutions were adopted.

The Senate then, according to special order, took up for consideration a House bill of the following title, viz:

An act to amend an act, entitled "An act for the better organization of the Kentucky Militia," approved March 5, 1860.

Said act reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That all such parts of an act, entitled "An act for the better organization of the Kentucky Militia," approved March 5, 1860, which failed to go into effect in consequence of there being no record of the yeas and nays upon the journals of the Legislature, as required by the Constitution in certain cases, be, and the same are hereby, re-enacted and re-affirmed; and that all appropriations therein contained, and necessary to the carrying into effect of any of the provisions of said act, are hereby confirmed; and the Auditor of Public Accounts is directed to draw his warrant, from time to time, in favor of all persons who shall have discharged the duties enjoined upon them by said act for such sums as their services entitle them to receive.

§ 2. That the absence of a military organization in any county, or the failure of any officer of the Enrolled Militia to comply with the requirements of section 13, article 2, shall not be construed to exempt any member of the Enrolled Militia from the military fines in lieu of military service fixed by section 14 of the same article.

§ 3. With a view to the better organization of the Militia, and the collection and preservation of the public arms and other property, the Inspector-General is authorized to appoint in each county in the State a staff officer, with the rank of Major, to be called an Inspector, who, under such regulations as he may prescribe, shall supervise and direct the organization and instruction of the Active and Enrolled Militia in their respective counties or military districts.

§ 4. Whenever in the opinion of the Commander-in-Chief the public safety may demand it, he may cause such proportion of the Enrolled Militia as he may deem necessary in any particular counties or districts, to be organized into one or more Active Reserves, which may be formed either by receiving volunteers, or by drafting names from the list of the Enrolled Militia, under such regulations as he may prescribe. The names thus drawn shall be recorded by the county clerk in the record book of the Enrolled Militia, and such record shall be deemed a sufficient notice of enrollment in the Active Reserve.

§ 5. In the event of insurrection or other public danger, the Active Reserve may, in case of necessity, be called to the support of the Active Militia. The term of service or organization of the Active Reserve shall be one year from the time of enrollment; but under urgent circumstances the Commander-in-Chief shall have authority to retain them for a longer term, not exceeding three months; and after their tour of service shall have been performed, and their organization disbanded, the members shall not again be compelled to serve, except when their regular tour of duty arrives.

§ 6. The Active Reserves shall be subject to the same laws and regulations that govern the Volunteer Militia; but they shall not be

required to uniform themselves, and shall not receive public arms, except under circumstances contemplated by section 28, article 6; but under proper regulations they shall receive such facilities for instruction as practicable with the arms which may have been issued to the companies of the Kentucky State Guard; but such instruction shall be under the immediate supervision or command of an officer of the State Guard. During the term of their organization, the Active Reserves shall be exempt from the fines imposed on the Enrolled Militia for non-attendance at the regular musters authorized by existing laws; but shall be subject to at least double such fines for non-attendance at any drill or meeting ordered by their proper officers; such fines to be collected, as in other cases, on the sentence of a court-martial, and applied to the use of the Reserve as provided for the militia under existing laws, or as may be provided for under the by-laws and regulations of the respective organizations of the Active Reserves.

§ 7. It shall be the duty of persons appointed or elected to any office in the Militia to enter upon the discharge of its duties immediately; and the performance of any duty appertaining to the office shall be construed into an acceptance of the same. And should any such person fail, within ten days after receiving a notice of his appointment or election, to signify his acceptance of the office, it may, at the option of the officer ordering the election or making the appointment, be declared vacant; but such officer may, in like manner, should any public necessity therefor exist, declare such office vacant, when the person who may have been elected or appointed to fill it, shall refuse to signify his acceptance or declination of the same when an opportunity is given him to make known his decision.

§ 8. The appointment or election of all general officers now holding commissions in the Militia, or who may be hereafter appointed or elected in the Militia, shall be subject to the advice and consent of the Senate; and the refusal of the Senate to confirm such appointments or elections shall vacate the office from and after the adjournment of the Legislature; but until such time, or until their rejection by the Senate, such officers may enter upon and continue to discharge the duties of their respective offices. And it shall be the duty of the Governor to present the names of all such officers for the advice and consent of the Senate.

§ 9. Company and other officers, and members of companies of the Volunteer Militia, and other persons subject to military duty, in addition to their responsibility as for a military offense, shall be liable, through courts-martial, in a pecuniary way, for the public property in their possession: and in case of loss or injury from neglect, shall be fined at least double the amount of the loss or injury; such sums of money, after collection, as in other cases, shall be paid to the clerk of the county court, who shall remit the money to the Auditor, as a military fund, to be credited to the county against the loss for which it is chargeable under section 18, article 6.

§ 10. Any officer, non-commissioned officer, musician, or private of the Militia, or other person subject to military law, who shall embezzle

or misapply public money, or military funds, or public arms or other public property of any description whatever intrusted to his care, shall be deemed guilty of felony, and punished as in other cases of felony under existing laws.

§ 11. Any person who shall be found with public arms, or equipments, or other public property in his possession, without the authority of the proper officers to hold the same, shall be deemed guilty of a misdemeanor, and may be indicted by the grand jury of the county in which such offender is found with the arms; or of the county in which he lives; and if found guilty, shall be fined in a sum not less than five, nor more than fifty dollars, half of which fine shall be paid to the informer, or imprisoned in the county jail, for not less than two weeks, nor more than three months, or both so fined and imprisoned at the discretion of the jury; and all arms or other public property thus recovered shall be deposited with the county court clerk, who shall report the fact to the Inspector-General, and hold the property subject to his order, or that of the Quartermaster General.

§ 12. General courts-martial shall have authority to inflict fines not exceeding five hundred dollars; and courts-martial may inflict the same punishment for contempt or disrespect towards the court as the circuit courts of this Commonwealth now have authority to do; and it shall be the duty of the sheriff to execute the order of the court.

§ 13. It shall be the duty of the Judge Advocate, or Recorder of a court-martial, except when troops are in the pay of the State, in which case the fines may be deducted from the pay, to file in the clerk's office of the circuit court of the county in which the court-martial was held, or in which the accused party may reside, a copy of the judgment or sentence of the court-martial imposing a fine, certified to by the president of the court; whereupon the clerk shall issue, in the name of the Commonwealth of Kentucky, such writ as may now issue upon a judgment in the name and for the use of the Commonwealth; and any other final process may issue, from time to time, until the judgment be satisfied.

§ 14. It shall be the duty of the sheriff into whose hands the writ may come, to faithfully execute the same, and to pay over the money as required by law; and upon his failure to perform his duties as herein required, he shall be liable on his official bond, in the same penalties as are now prescribed by law in similar cases; and for the performance of these duties he shall be entitled to the same compensation as is now allowed by law for collecting money under execution.

§ 15. It shall be the duty of the Judge Advocate or Recorder to institute proceedings in the name of the Commonwealth, against the sheriff, upon his failure to perform the duties enjoined in this act.

§ 16. Upon a written complaint or official representation, in writing, in regard to the incompetency or inefficiency of an officer, the Inspector General or other general officer, shall have authority to convene a court of inquiry, to be composed of competent officers, to examine into the qualifications of persons holding any office in the Active Militia, or in the Active Reserves; or in the Enrolled Militia when in the service of the State; and when two thirds of the members of such

court shall have pronounced an officer incompetent to the discharge of the duties of his office, or manifestly neglectful of the interests of the men under his command, the officer ordering such court may, at his discretion, when he approves of such finding of the court, drop the name of such officer from the rolls, or suspend him from rank, command and pay, until he shall have qualified himself for the duties of his office.

§ 17. Whenever an officer, after having been duly notified, by written notice served upon him in person, or left at his residence, or addressed to him through the ordinary channels of postal communication, shall fail to appear before a court-martial, or to make a report or return of the condition and strength of his command when required, or shall absent himself from his command without leave, and shall fail to perform any of the duties of his office for more than one month, and shall not render a satisfactory excuse for his absence or neglect, his name may, at the option of the Commander-in-Chief, be dropped from the rolls, and the person considered no longer an officer.

§ 18. Whenever notice has been served, as provided in the preceding section, upon an officer or other party under charges, and such accused person shall fail to appear at the time and place designated in the notice, the court-martial which may have assembled for the trial of such person, shall have authority to enter a plea of not guilty, and to proceed to trial in his absence; but whenever, in the opinion of the court-martial, the presence of any person, whether an accused party or a witness, shall be necessary to the proceedings, the president of the court-martial shall have the same authority to compel the attendance of such person, by summons and attachment, as the circuit courts now have; and it shall be the duty of the sheriff, or if his services cannot be conveniently procured, of the marshal, who may be appointed by the court, or by the officer ordering the court, to execute such process; and for the purposes of this and the succeeding section, such marshal is hereby invested with the authority of a sheriff in analogous cases.

§ 19. All persons subject to military duty who fail or refuse to repair to the appointed rendezvous, when ordered into the service of the State, shall, upon being found guilty by a general court-martial, if a commissioned officer, be cashiered and fined in a sum not to exceed five hundred dollars; if a non-commissioned officer, musician, or private, or other person subject to military law, he shall be fined in a sum not less than sixty dollars nor more than three hundred dollars, and be imprisoned two months in the county jail; and the jailer shall receive and confine such person during the term of his sentence by the court-martial; and the fees shall be paid as in other cases. The sheriff or marshal of the court shall execute the order of the court-martial, and conduct the prisoner to the county jail.

§ 20. Courts of assessment are hereby abolished, and their authority vested in company, battalion, regimental, and general courts-martial; and all the authority of brigade courts-martial is likewise invested in regimental and general courts-martial.

§ 21. It shall be the duty of the Mayor and General Council of every

city in the Commonwealth, to provide the armories necessary for the Active Militia in their respective cities; and there shall be provided at least one drill-room for every six companies; and where such drill-room is not provided, each company armory shall be of sufficient size to accommodate the company when it meets for the purposes of duty required by the military laws. The County Courts and General Councils of cities are hereby authorized to levy such tax as may be necessary to carry out the intentions of this act.

§ 22. The General Council of the city of Louisville are hereby authorized to invest, for the purposes of the preceding section, any portion of the sinking fund not exceeding twenty thousand dollars, in the purchase or construction of a proper building; but such building and other premises, and any rents or income which may be received therefrom, shall continue to make part of the sinking fund of said city.

§ 23. Whenever there shall be a necessity for their employment, the Commander-in-Chief may organize a corps of "men out of ranks," or ordnance men, pontoneers and drivers for the Ordnance, Engineer, and Quarter-master's Departments, on the footing, as regards pay and emoluments, as the cavalry.

§ 24. Requisitions for arms, equipments, and munitions shall be approved by the Inspector General before being issued.

§ 25. In the organization of the State Guard the proper proportions between the different arms of service shall be followed as nearly as may be.

§ 26. No public arms, equipments, or munitions of any kind shall be sold until condemned, after inspection, by the Inspector General.

§ 27. The office of Third Lieutenant shall hereafter be known as that of Brevet Second Lieutenant.

§ 28. The Inspector General shall be entitled to an office and office furniture, and necessary postage; or in lieu of an office, to a reasonable office rent, to be limited by the Commander-in-Chief to the actual rent of a suitable room.

§ 29. In all cases where the proceedings of a court-martial shall be stopped by legal process from a superior court, it shall be the duty of the court from which such process issued to hear and determine the matter immediately; and no appeal shall be granted from the decision of such court, unless a certified copy of the record is, within fifteen days, presented to a judge of the Court of Appeals, in vacation, and the appeal granted by such judge; or to the Court of Appeals, in term time, and the appeal granted by said court; and if the appeal is granted, the Court of Appeals, if in session at the time, shall hear and determine the case immediately. If not in session at the time the appeal is granted, the case shall stand for trial first on the docket of the succeeding term.

§ 30. The term of the obligation of the Volunteer Militia shall be two years, from the date of becoming a member, at the end of which time a member of a company may claim his discharge; but if not claimed by him at the expiration of the second year, he shall continue in his company an additional year; and shall thus continue a member

from year to year, until he shall claim his discharge at the end of the year.

Mr. Taylor offered the following amendment by way of a substitute:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That the act, approved March 5, 1860, entitled "An act for the better organization of the Kentucky Militia," be, and the same is hereby, repealed.

§ 2. *Be it further enacted,* That chapter 66th of the Revised Statutes, title "Militia," and the amendment thereto, approved March 7, 1854, be, and the same is hereby, re-enacted, and declared to be in full force from and after the passage of this act.

And the question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being demanded thereon by Messrs. Taylor and Grover, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|--------------------|-----------------------|--------------------|
| T. T. Alexander, | Thornton F. Marshall, | Cyrenius Wait, |
| John B. Bruner, | John A. Prall, | E. Dudley Walker, |
| George Denny, | James Simpson, | W. C. Whitaker—11. |
| William C. Gillis, | Harrison Taylor, | |

Those who voted in the negative, were—

| | | |
|------------------------|--------------------|----------------------|
| Mr. Speaker, (Porter.) | Samuel E. DeHaven, | Samuel H. Jenkins, |
| William T. Anthony, | John F. Fisk, | John M. Johnson, |
| Landaff W. Andrews, | J. E. Gibson, | William H. McBrayer, |
| Charles Chambers, | Robert E. Glenn, | Chas. D. Pennebaker, |
| Benjamin P. Cissell, | Asa P. Grover, | William B. Read, |
| A. D. Cosby, | Thomas S. Grundy, | Albert G. Rhea. |
| William S. Darnaby, | Samuel Haycraft, | Henry M. Rust, |
| Alex. L. Davidson, | John L. Irvan, | C. J. Walton—24. |

And so said amendment was rejected.

On motion of Mr. Andrews,

Ordered, That the vote be taken on said bill by sections.

The 1st, 2d, 3d, 4th, 5th, 6th, and 7th sections were read a second time.

Mr. Fisk offered an amendment to the 8th section.

Which was adopted.

The 9th section was read a second time.

Mr. Walker moved to amend the 10th section as follows, viz:

Strike out the words "or misapply," in the 7th line.

The yeas and nays being required on said motion by Messrs. Walker and Rousseau, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|------------------------|-----------------------|-------------------|
| Mr. Speaker, (Porter,) | George Denny, | Wm. H. McBryer, |
| T. T. Alexander, | John F. Fisk, | John A. Prall, |
| Landaff W. Andrews, | William C. Gillis, | William B. Read, |
| John B. Bruner, | Asa P. Grover, | L. H. Rousseau, |
| Charles Chambers, | Thomas S. Grundy, | Henry M. Rust, |
| A. D. Cosby, | Samuel Haycraft, | James Simpson, |
| William S. Darnaby, | John L. Irvin, | E. Dudley Walker, |
| Alex. L. Davidson, | Thornton F. Marshall, | C. J. Walton—24. |

Those who voted in the negative, were—

| | | |
|----------------------|--------------------|--------------------|
| Benjamin P. Cissell, | Samuel H. Jenkins, | Harrison Taylor, |
| Samuel E. DeHaven, | John M. Johnson, | Cyrenius Wait, |
| J. E. Gibson, | C. D. Pennebaker, | W. C. Whitaker—11. |
| Robert E. Glenn, | Albert G. Rhea, | |

The 10th section, as amended, was read a second time.

Ordered, That the 11th section be rejected.

Mr. Fisk moved to amend the 12th section by striking out the word “five,” in the second line, and insert “one.”

Which was adopted.

Mr. Fisk moved to amend the 13th section by adding, “and the clerk shall be entitled to a fee of twenty-five cents for filing the same, which shall be paid by the party filing the same, and be included in the execution.”

Which amendment was adopted.

Mr. Rousseau moved to amend the 16th section by adding the following: “That no one save the Governor, or one elected by those subject to military duty, shall have command or exercise command over the Militia, unless by and with the consent of a majority of those so subject; and no officer of the Enrolled or Reserve Militia shall hold or exercise any command in the Active Militia.”

The yeas and nays being demanded on said motion by Messrs. Pennebaker and Walker, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---------------------|-----------------------|--------------------|
| T. T. Alexander, | Robert E. Glenn, | Henry M. Rust, |
| Landaff W. Andrews, | John M. Johnson, | James Simpson, |
| John B. Bruner, | Thornton F. Marshall, | Harrison Taylor, |
| A. D. Cosby, | John A. Prall, | Cyrenius Wait, |
| Samuel E. DeHaven, | William B. Read, | E. Dudley Walker, |
| George Denny, | Albert G. Rhea, | C. J. Walton, |
| John F. Fisk, | L. H. Rousseau, | W. C. Whitaker—22. |
| William C. Gillis, | | |

Those who voted in the negative, were—

| | | |
|---|---|---|
| Mr. Speaker, (Porter,) William T. Anthony, Charles Chambers, Benjamin P. Cissell, William S. Darnaby, | Alex. L. Davidson, J. E. Gibson, Asa P. Grover, Thomas S. Grundy, | John L. Irvan, Samuel H. Jenkins, William H. McBrayer, C. D. Pennebaker—13. |
|---|---|---|

And so said amendment was adopted.

Mr. Fisk offered to amend the 19th section, by striking out these words, "less than sixty dollars, nor more than," and insert "to exceed."

Which was adopted.

Mr. Fisk moved further to amend said section as follows:

Strike out all from the word "dollars," in the 6th line, to the period in the ninth line, and in the 10th line strike out all after the words "court-martial."

Which was adopted.

Mr. Taylor moved to strike out the 21st section.

The yeas and nays being demanded on said motion by Messrs. Taylor and Cissell, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| T. T. Alexander, Landaff W. Andrews, John B. Bruner, Charles Chambers, A. D. Cosby, Alex. L. Davidson, Samuel E. DeHaven, | George Denny, John F. Fisk, William C. Gillis, Asa P. Grover, John M. Johnson, Thornton F. Marshall, William B. Read, | Albert G. Rhea, James Simpson, Harrison Taylor, Cyrenius Wait, E. Dudley Walker, C. J. Walton—20. |
|---|---|---|

Those who voted in the negative, were—

| | | |
|--|---|--|
| Mr. Speaker, (Porter,) William T. Anthony, Benjamin P. Cissell, J. E. Gibson, Robert E. Glenn, | Thomas S. Grundy, Samuel Haycraft, John L. Irvan, Samuel H. Jenkins, William H. McBrayer, | C. D. Pennebaker, John A. Prall, L. H. Rousseau, Henry M. Rust, W. C. Whitaker—16. |
|--|---|--|

And so said 21st section was stricken out.

Ordered, That the 22d section be stricken out.

Mr. Taylor offered the following amendment to the 30th section.

Be it further enacted, That this act, and that approved March 5, 1860, to which this is an amendment, shall not become laws until first submitted to a vote of the qualified voters of the State, at the next general election for members of the Assembly of this Commonwealth. It shall be the duty of the several election officers, at the next general election, to open two columns of the several poll-books, headed as

follows: one headed, "For the Militia Law," the other, "Against the Militia Law." Those voting for the bill shall be set down under the first, and those voting against it shall be set down under the other; and unless a majority of all the qualified voters of the State shall vote for the adoption thereof, it shall not become a law. In ascertaining the number of qualified voters of the State, the number, as shown by the Assessors' books for the year 1857, shall be the criterion. The clerks of the county courts of this Commonwealth shall, after the comparison of the polls as now required by law, certify to the Secretary of State the number of votes in their respective counties for and against the Militia law, and which said Secretary shall report to the next General Assembly of this Commonwealth.

The yeas and nays were required on said amendment by Messrs. Johnson and Cissell.

The hour fixed for adjournment having arrived, the Senate adjourned, without taking action thereon.

THURSDAY, MARCH 28, 1861.

Messrs. Andrews and Haycraft moved to reconsider the vote by which the Senate laid on the table a bill of the following title, viz:

An act to amend the charter of the town of Brandenburg.

And the further consideration of said motion was for the present postponed.

Messrs. Walton and Rousseau moved to reconsider the vote by which the Senate rejected the resolutions offered by Mr. Taylor concerning the federal court in the Kentucky district.

Mr. Fisk moved to lay said motion on the table.

And the question being taken on said motion, it was decided in the negative.

The yeas and nays being demanded thereon by Messrs. Taylor and Fisk, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|----------------------|--------------------|----------------------|
| T. T. Alexander, | Robert E. Glenn, | Chas. D. Pennebaker, |
| Benjamin P. Cissell, | John L. Irvan, | William B. Read, |
| Alex. L. Davidson, | Samuel H. Jenkins, | L. H. Rousseau, |

MAR. 28.]

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Samuel E. DeHaven, John M. Johnson, James Simpson,
 George Denny, Thornton F. Marshall, Cyrenius Wait—16.
 John F. Fisk,

Those who voted in the negative, were—

| | |
|--|--------------------|
| Mr. Speaker, (Porter,) J. E. Gibson, | Albert G. Rhea, |
| William T. Anthony, William C. Gillis, | Henry M. Rust, |
| Landaff W. Andrews, Asa P. Grover, | Harrison Taylor, |
| John B. Bruner, Thomas S. Grundy, | E. Dudley Walker, |
| Charles Chambers, Samuel Haycraft, | C. J. Walton, |
| A. D. Cosby, William H. McBrayer, | W. C. Whitaker—20. |
| William S. Darnaby, John A. Prall, | |

The question was then taken on reconsidering said vote, and it was decided in the affirmative.

The yeas and nays being demanded thereon by Messrs. Fisk and Taylor, were as follows, viz:

Those who voted in the affirmative, were—

| | |
|---|--------------------|
| Mr. Speaker, (Porter,) William C. Gillis, | Albert G. Rhea, |
| William T. Anthony, Asa P. Grover, | Henry M. Rust, |
| Landaff W. Andrews, Thomas S. Grundy, | Harrison Taylor, |
| John B. Bruner, Samuel Haycraft, | E. Dudley Walker, |
| Charles Chambers, William H. McBrayer, | C. J. Walton, |
| A. D. Cosby, John A. Prall, | W. C. Whitaker—19. |
| J. E. Gibson, | |

Those who voted in the negative, were—

| | |
|---------------------------------------|----------------------|
| T. T. Alexander, Robert E. Glenn, | Chas. D. Pennebaker, |
| Benjamin P. Cissell, John L. Irvan, | William B. Read, |
| Alex. L. Davidson, Samuel H. Jenkins, | L. H. Rousseau, |
| Samuel E. DeHaven, John M. Johnson, | James Simpson, |
| George Denny, Thornton F. Marshall, | Cyrenius Wait—16. |
| John F. Fisk, | |

And so the vote by which the Senate rejected said resolutions was reconsidered.

On motion of Mr. Read,

Leave of absence was granted to the Senator from Barren.

1. Mr. Alexander presented the petition of sundry citizens of Russell county, praying a change in the revenue laws concerning the mode of collecting taxes and compensating sheriffs.

By same—

2. The petition of sundry citizens of Adair county, praying a change of district lines in said county.

By same—

3. A remonstrance of sundry citizens of Adair county, against the calling of a State Convention.

4. Mr. Cissell presented the petition of sundry citizens of Webster county, asking a suspension of the June term of the courts of said county.

5. Mr. Cissell presented the petition of sundry citizens of Union county, praying the passage of a law giving some relief to the people of this Commonwealth.

Which were received, the reading dispensed with, and referred—the first to the Committee on Finance; the 2d to the Committee on County Courts; the 3d to the Committee on Federal Relations; and the 4th and 5th to the Committee on the Judiciary.

Mr. Gillis, from the Committee on Enrollments, reported that they had examined sundry enrolled bills originating in the Senate of the following titles, viz :

An act to amend an act concerning the penitentiary, approved February 1st, 1858.

An act to change school district No. 9, in Madison county.

An act to establish an additional magistrates' district and election precinct in Daviess county.

An act for the benefit of James M. Nesbitt.

An act for the benefit of William J. Shrout.

And bills originating in the House of Representatives, of the following titles, viz :

An act to revive an act establishing the office of county treasurer for Bracken county, approved March 10, 1856.

An act to amend the charter of the Southern Bank of Kentucky.

An act for the benefit of the town of Williamsburg, in Whitley county.

An act for the benefit of the sheriff of Green county.

An act for the benefit of S. W. Rennick, late sheriff of Hickman county.

An act for the benefit of William J. Ashcraft, of Estill county.

An act legalizing the election of the chairman and board of trustees of Bowling-Green.

An act to amend the charter of the city of Covington.

An act to repeal in part certain terms of the circuit court, equity and criminal courts of Logan, and the circuit court of Todd county, and for other purposes.

An act to charter the Bon Harbor turnpike road company.

An act for the benefit of S. E. Higgins.

An act to exempt guns from execution.

An act authorizing the commissioners of the sinking fund to loan money to the State of Kentucky.

An act creating an additional justices' and voting district in Nelson county.

An act for the benefit of the sinking fund commissioners of Nelson county.

An act to amend an act authorizing the sale of Robinson Academy, in Adair county.

An act to amend an act to incorporate the Female Literary and Benevolent Institution of Nazareth, near Bardstown, approved December 29, 1829.

An act to incorporate Raywick Lodge, No. 227, of Free and Accepted Masons.

And that the same were correctly enrolled.

Whereupon the Speaker affixed his signature to said bills, and they were returned to the committee, to be by them presented to the Governor for his approval and signature.

A message was received from the House of Representatives, announcing that they had passed bills originating in the Senate of the following titles, viz:

An act incorporating Roaring Spring, in Trigg county.

An act for the benefit of the Christian church, at Parker's Stand.

An act for the benefit of the Presbyterian church of Paris.

An act for the benefit of school district, No. 36, in Livingston county.

An act to amend the charter of the Kentucky Mechanics' Institute of Louisville.

An act to amend the charter of the city of Louisville, approved March 24, 1851.

An act to amend the charter of the Falls City Marine Institute.

An act to amend the charter of the Louisville and Nashville railroad company.

An act to amend the charter of the Galt House Company.

An act to change the line between the Bethel and Wyoming precincts, in Bath county.

An act to authorize the county judge of Garrard county to change the place of voting in precinct No. 1.

An act for the benefit of Isaac E. Johnson and James A. Hawkins.

An act for the benefit of S. E. G. Cole, of Todd county.

- An act to amend the charter of Uniontown.
An act for the benefit of James D. Ballard.
An act concerning the Wilderness turnpike road.
An act to change the time of holding the Larue county court.
An act for the benefit of Thomas Landrum and Henry Griffith, late sheriffs of McLean county.
An act authorizing a transcript of certain records and making indexes in the county court clerk's office of Rockcastle.
An act to amend the charter of the town of Hammondsville, in Hart county.
An act giving further time to ministers of the gospel and other persons to return marriage licenses.
An act to incorporate Clark Lodge, No. 51, A. Y. M., of Louisville.
An act to incorporate the Paris Gas-light Company.
An act to amend an act concerning the penitentiary, approved February 1, 1858.
An act to amend the charter of the American Printing House for the Blind.
And that they had passed bills of the following titles, viz:
An act to amend the charter of the Deposit Bank of Owensboro.
An act to carry into effect certain provisions of an act for the better organization of the militia.
An act changing a voting district in Fleming county.
An act to authorize the county court of Barren county to close a State road.
An act to change the county lines of Barren and Monroe.
An act to incorporate Loving Lodge, No. 323, of Free and Accepted Masons.
An act to amend the charter of the town of Edmonton, in Metcalfe county.
An act for the benefit of the Boone county court.
An act to amend the charter of the Hopewell, Bethlehem, and Clintonville turnpike road company.
An act to amend the charter of the town of Danville.
An act to amend an act incorporating the Lexington and Danville railroad.
An act to regulate assessments in Bullitt county.
An act to alter the lines of Gradyville voting district, in Adair county.
An act to amend road law of Campbell county,

An act to incorporate the German Catholic St. Martin's Benevolent Society, of Newport.

An act to provide an additional voting precinct in Campbell county.

An act to amend the charter of the city of Newport.

An act relating to the courts held in the city of Newport.

An act to incorporate Norma Grove, No. 2, United Ancient Order of Druids, in Newport.

An act for the benefit of the city of Newport and the Campbellsville turnpike road company.

An act to legalize the acts of the town marshal of Ghent.

An act fixing the time of holding the quarterly courts of Carter county.

An act correcting courses of patent issued to Frederick M. Mauk, of Carter county, for 50 acres of land.

An act allowing the county court of Hickman county to increase the county levy.

An act to change the voting place in the Tate district, in Casey county.

An act for the benefit of stockholders in turnpike roads in Clarke county.

An act to incorporate Hickman Lodge, No. 72, Independent Order of Odd Fellows.

An act legalizing certain surveys made by the surveyor of Clay county.

An act to amend and reduce into one the several acts relating to the town of Stanford.

An act to amend the 1st section, 17th article, of the 28th chapter of the Revised Statutes, entitled "Crimes and Punishments."

An act for the benefit of Hart county court.

An act to amend the charter of the town of Hammondsburg.

An act for the benefit of Wm. Gwynn.

A resolution fixing a day for final adjournment.

Bills of the following titles were reported, viz:

By Mr. Grover, from the Committee on Revised Statutes—

1. A bill to amend section 9, article 3, chapter 91, Revised Statutes.
2. A bill concerning the jurisdiction of the quarterly court of Bourbon county.

3. A bill to prevent the judges of quarterly and county courts from practicing law in certain courts of their counties.

4. A bill to amend chapter 37 of Revised Statutes.
By Mr. Alexander, from the Committee on the Library—
5. A bill to distribute books to certain counties.
By Mr. Johnson, from the Committee on Banks—
6. A bill to amend the charter of the banks of issue.
By Mr. Rust, from the Committee on County Courts—
7. A bill for the benefit of the sheriff of Todd county.
By Mr. Cissell, from the Committee on the Judiciary—
8. A bill to amend the charter of the town of Glasgow.

Which were read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bills having been dispensed with,

Ordered, That the 4th be tabled, that the Public Printer forthwith print 150 copies of the 6th, for the use of the members of the General Assembly, and that the further consideration of the same be postponed until to-morrow, at 9½ o'clock, A. M., and that the 1st, 2d, 3d, 5th, 7th, and 8th be engrossed and read a third time.

The rules of the Senate, constitutional provision, and third reading of the 1st, 2d, 3d, 5th, 7th and 8th being dispensed with, and the same having been engrossed,

Resolved, That said bills do pass, and that the titles thereof be as amended.

Mr. Fisk, from the Committee on the Revised Statutes, to whom had been referred a House bill of the following title :

An act to amend an act, entitled "An act for the improvement of Licking river," approved March 1, 1860,

Reported the same with an amendment by way of a substitute for said bill.

Said amendment was concurred in.

Ordered, That said bill, as amended, be read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The Senate then, according to order, resumed the consideration of a bill from the House of Representatives, of the following title, viz:

An act to amend the militia law.

The pending question being upon the substitute for the 30th section, offered by Mr. Taylor on yesterday, which is as follows, viz:

Be it further enacted, That this act, and that approved March 5, 1860, to which this is an amendment, shall not become laws until first submitted to a vote of the qualified voters of the State, at the next general election for members of the Assembly for this Commonwealth. It shall be the duty of the several election officers, at the next general election, to open two columns on the several poll-books, headed as follows: one headed, "For the Militia Laws," the other, "Against the Militia Laws." Those voting for the bill shall be set down under the first, and those voting against it shall be set down under the other; and unless a majority of all the qualified voters of the State shall vote for the adoption thereof, it shall not become a law. In ascertaining the number of qualified voters of the State, the number, as shown by the Assessors' books for the year 1857, shall be the criterion. The clerks of the county courts of this Commonwealth shall, after the comparison of the polls as now required by law, certify to the Secretary of State the number of votes in their respective counties for and against the Militia laws, and which said Secretary shall report to the next General Assembly of this Commonwealth.

The yeas and nays being demanded on the adoption of said substitute by Messrs. Johnson and Cissell, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|------------------|--------------------|-------------------|
| T. T. Alexander, | William C. Gillis, | Harrison Taylor, |
| John B. Bruner, | Samuel Haycraft, | W. C. Whitaker—7. |
| John F. Fisk, | | |

Those who voted in the negative, were—

| | |
|---|----------------------|
| Mr. Speaker, (Porter,) George Denny, | William H. McBrayer, |
| William T. Anthony, J. E. Gibson, | Chas. D. Pennebaker, |
| Landaff W. Andrews, Robert E. Glenn, | John A. Prall, |
| Charles Chambers, Asa P. Grover, | William B. Read, |
| Benjamin P. Cissell, Thomas S. Grundy, | Albert G. Rhea. |
| A. D. Cosby, John L. Irvin, | Henry M. Rust, |
| William S. Darnaby, Samuel H. Jenkins, | James Simpson, |
| Alex. L. Davidson, John M. Johnson, | Cyrenius Wait, |
| Samuel E. DeHaven, Thornton F. Marshall, C. J. Walton—27. | |

And so said amendment was rejected.

Messrs. Andrews and Rust moved to reconsider the vote by which the 16th section of said bill was amended.

And the question being taken on said motion, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Rousseau and Whitaker were as follows, viz:

Those who voted in the affirmative, were—

| | |
|---|----------------------|
| Mr. Speaker, (Porter,) Samuel E. DeHaven, | Samuel H. Jenkins, |
| William T. Anthony, J. E. Gibson, | John M. Johnson, |
| Landaff W. Andrews, Robert E. Glenn, | William H. McBrayer, |
| Charles Chambers, Asa P. Grover, | C. D. Pennebaker, |
| Benjamin P. Cissell, Thomas S. Grundy, | Albert G. Rhea, |
| William S. Darnaby, John L. Irvan, | Henry M. Rust—19. |
| Alex. L. Davidson, | |

Those who voted in the negative, were—

| | | |
|------------------|-----------------------|--------------------|
| T. T. Alexander, | William C. Gillis, | Harrison Taylor, |
| John B. Bruner, | Thornton F. Marshall, | Cyrenius Wait, |
| A. D. Cosby, | William B. Read, | C. J. Walton, |
| George Denny, | L. H. Rousseau, | W. C. Whitaker—14. |
| John F. Fisk, | James Simpson, | |

The question was then again taken on adopting the amendment offered by Mr. Rousseau on yesterday to said amendment, which is as follows, viz :

“ And no one save the Governor, or one elected by those subject to military duty, shall have command, or exercise command, over the militia, unless by and with the consent of a majority of those so subject; and no officer of the Enrolled or Reserve Militia shall hold or exercise any command in the Active Militia.”

The yeas and nays being demanded on the adoption of said amendment by Messrs. Cissell and Rust, were as follows, viz :

Those who voted in the affirmative, were—

| | | |
|--------------------|-----------------------|--------------------|
| T. T. Alexander, | Samuel Haycraft, | L. H. Rousseau, |
| John B. Bruner, | John M. Johnson, | James Simpson, |
| A. D. Cosby, | Thornton F. Marshall, | Harrison Taylor, |
| George Denny, | John A. Prall, | E. Dudley Walker, |
| John F. Fisk, | William B. Read, | C. J. Walton, |
| William C. Gillis, | Albert G. Rhea, | W. C. Whitaker—18. |

Those who voted in the negative, were—

| | |
|---|----------------------|
| Mr. Speaker, (Porter,) Alex. L. Davidson, | John L. Irvan, |
| William T. Anthony, Samuel E. DeHaven, | Samuel H. Jenkins, |
| Landaff W. Andrews, J. E. Gibson, | William H. McBrayer, |
| Charles Chambers, Robert E. Glenn, | Chas. D. Pennebaker, |
| Benjamin P. Cissell, Asa P. Grover, | Henry M. Rust, |
| William S. Darnaby, Thomas S. Grundy, | Cyrenius Wait—18. |

And so said amendment was rejected.

Ordered, That said bill, as amended, be read a third time.

Mr. Whitaker moved to reconsider the vote by which said bill was ordered to be read a third time.

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The yeas and nays being demanded on said motion by Messrs. Whitaker and Rust, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---------------------|-----------------------|--------------------|
| T. T. Alexander, | John F. Fisk, | James Simpson, |
| Landaff W. Andrews, | William C. Gillis, | Harrison Taylor, |
| John B. Bruner, | Samuel Haycraft, | Cyrenius Wait, |
| Charles Chambers, | Thornton F. Marshall, | E. Dudley Walker, |
| A. D. Cosby, | John A. Prall, | C. J. Walton, |
| Samuel E. DeHaven, | Albert G. Rhea, | W. C. Whitaker—20. |
| George Denny, | L. H. Rousseau, | |

Those who voted in the negative, were—

| | |
|---------------------------------------|----------------------|
| Mr. Speaker, (Porter,) J. E. Gibson, | Samuel H. Jenkins, |
| William T. Anthony, Robert E. Glenn, | John M. Johnson, |
| Benjamin P. Cissell, Asa P. Grover, | William H. McBrayer, |
| William S. Darnaby, Thomas S. Grundy, | Chas. D. Pennebaker, |
| Alex. L. Davidson, John L. Irvan, | Henry M. Rust—15. |

And so the Senate reconsidered said vote.

Mr. Rousseau offered the following amendment to said bill, viz:

That \$10,000 is hereby appropriated to the building of an armory and drill room in the city of Louisville, and \$3,000 for the city of Covington, for the purpose of building one there; and the Governor is authorized to contract for building thereof, and sign his certificate that the buildings are completed according to contract. The Auditor shall draw his warrant on the Treasurer for those amounts, and it shall be paid out of moneys not otherwise appropriated: *Provided*, That the city of Louisville shall, before the Governor shall make such contract, convey in fee-simple, for the purpose aforesaid, and no other, to this Commonwealth, a lot of ground in said city suitable, and suitably situated for that purpose, and report thereof be made to the Governor by the Mayor of Louisville.

The yeas and nays being demanded on the adoption of said amendment by Messrs. Cissell and Fisk, were as follows, viz:

Those who voted in the affirmative, were—

| |
|--|
| Landaff W. Andrews, Chas. D. Pennebaker, W. C. Whitaker—5. |
| John F. Fisk, L. H. Rousseau, |

Those who voted in the negative, were—

| | |
|--|-----------------------|
| Mr. Speaker, (Porter,) George Denny, | Thornton F. Marshall, |
| T. T. Alexander, J. E. Gibson, | William H. McBrayer, |
| William T. Anthony, William C. Gillis, | John A. Prall, |
| John B. Bruner, Robert E. Glenn, | Albert G. Rhea, |
| Charles Chambers, Asa P. Grover, | Henry M. Rust, |
| Benjamin P. Cissell, Thomas S. Grundy, | James Simpson, |
| A. D. Cosby, Samuel Haycraft, | Harrison Taylor, |

[MAR. 28.]

Those who voted in the affirmative, were—

| | | |
|------------------------|--------------------|----------------------|
| Mr. Speaker, (Porter.) | Samuel E. DeHaven, | Samuel H. Jenkins, |
| William T. Anthony, | J. E. Gibson, | John M. Johnson, |
| Landaff W. Andrews, | Robert E. Glenn, | William H. McBrayer, |
| Charles Chambers, | Asa P. Grover, | C. D. Pennebaker, |
| Benjamin P. Cissell, | Thomas S. Grundy, | Albert G. Rhea, |
| William S. Darnaby, | John L. Irvan, | Henry M. Rust—19. |
| Alex. L. Davidson, | | |

Those who voted in the negative, were—

| | | |
|------------------|-----------------------|--------------------|
| T. T. Alexander, | William C. Gillis, | Harrison Taylor, |
| John B. Bruner, | Thornton F. Marshall, | Cyrenius Wait, |
| A. D. Cosby, | William B. Read, | C. J. Walton, |
| George Denny, | L. H. Rousseau, | W. C. Whitaker—14. |
| John F. Fisk, | James Simpson, | |

The question was then again taken on adopting the amendment offered by Mr. Rousseau on yesterday to said amendment, which is as follows, viz:

“And no one save the Governor, or one elected by those subject to military duty, shall have command, or exercise command, over the militia, unless by and with the consent of a majority of those so subject; and no officer of the Enrolled or Reserve Militia shall hold or exercise any command in the Active Militia.”

The yeas and nays being demanded on the adoption of said amendment by Messrs. Cissell and Rust, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|--------------------|-----------------------|--------------------|
| T. T. Alexander, | Samuel Haycraft, | L. H. Rousseau, |
| John B. Bruner, | John M. Johnson, | James Simpson, |
| A. D. Cosby, | Thornton F. Marshall, | Harrison Taylor, |
| George Denny, | John A. Prall, | E. Dudley Walker, |
| John F. Fisk, | William B. Read, | C. J. Walton, |
| William C. Gillis, | Albert G. Rhea, | W. C. Whitaker—18. |

Those who voted in the negative, were—

| | | |
|------------------------|--------------------|----------------------|
| Mr. Speaker, (Porter.) | Alex. L. Davidson, | John L. Irvan, |
| William T. Anthony, | Samuel E. DeHaven, | Samuel H. Jenkins, |
| Landaff W. Andrews, | J. E. Gibson, | William H. McBrayer, |
| Charles Chambers, | Robert E. Glenn, | Chas. D. Pennebaker, |
| Benjamin P. Cissell, | Asa P. Grover, | Henry M. Rust, |
| William S. Darnaby, | Thomas S. Grundy, | Cyrenius Wait—18. |

And so said amendment was rejected.

Ordered, That said bill, as amended, be read a third time.

Mr. Whitaker moved to reconsider the vote by which said bill was ordered to be read a third time.

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The yeas and nays being demanded on said motion by Messrs. Whitaker and Rust, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---------------------|-----------------------|--------------------|
| T. T. Alexander, | John F. Fisk, | James Simpson, |
| Landaff W. Andrews, | William C. Gillis, | Harrison Taylor, |
| John B. Bruner, | Samuel Haycraft, | Cyrenius Wait, |
| Charles Chambers, | Thornton F. Marshall, | E. Dudley Walker, |
| A. D. Cosby, | John A. Prall, | C. J. Walton, |
| Samuel E. DeHaven, | Albert G. Rhea, | W. C. Whitaker—20. |
| George Denny, | L. H. Rousseau, | |

Those who voted in the negative, were—

| | |
|---------------------------------------|----------------------|
| Mr. Speaker, (Porter,) J. E. Gibson, | Samuel H. Jenkins, |
| William T. Anthony, Robert E. Glenn, | John M. Johnson, |
| Benjamin P. Cissell, Asa P. Grover, | William H. McBrayer, |
| William S. Darnaby, Thomas S. Grundy, | Chas. D. Pennebaker, |
| Alex. L. Davidson, John L. Irvan, | Henry M. Rust—15. |

And so the Senate reconsidered said vote.

Mr. Rousseau offered the following amendment to said bill, viz:

That \$10,000 is hereby appropriated to the building of an armory and drill room in the city of Louisville, and \$3,000 for the city of Covington, for the purpose of building one there; and the Governor is authorized to contract for building thereof, and sign his certificate that the buildings are completed according to contract. The Auditor shall draw his warrant on the Treasurer for those amounts, and it shall be paid out of moneys not otherwise appropriated: *Provided*, That the city of Louisville shall, before the Governor shall make such contract, convey in fee-simple, for the purpose aforesaid, and no other, to this Commonwealth, a lot of ground in said city suitable, and suitably situated for that purpose, and report thereof be made to the Governor by the Mayor of Louisville.

The yeas and nays being demanded on the adoption of said amendment by Messrs. Cissell and Fisk, were as follows, viz:

Those who voted in the affirmative, were—

| |
|--|
| Landaff W. Andrews, Chas. D. Pennebaker, W. C. Whitaker—5. |
| John F. Fisk, L. H. Rousseau, |

Those who voted in the negative, were—

| | |
|--|-----------------------|
| Mr. Speaker, (Porter,) George Denny, | Thornton F. Marshall, |
| T. T. Alexander, J. E. Gibson, | William H. McBrayer, |
| William T. Anthony, William C. Gillis, | John A. Prall, |
| John B. Bruner, Robert E. Glenn, | Albert G. Rhea, |
| Charles Chambers, Asa P. Grover, | Henry M. Rust, |
| Benjamin P. Cissell, Thomas S. Grundy, | James Simpson, |
| A. D. Cosby, Samuel Haycraft, | Harrison Taylor, |

William S. Darnaby, John L. Irvan, Cyrenius Wait,
 Alex. L. Davidson, Samuel H. Jenkins, E. Dudley Walker,
 Samuel E. DeHaven, John M. Johnson, C. J. Walton—30.

And so said amendment was rejected.

Mr. Whitaker moved to amend said bill by adding the following as an additional section :

Be it further enacted, That any member of the State Guard, who was mustered into service before the passage of this amendment to the militia bill by this Legislature at this session, shall have the right to withdraw from the State Guard without the consent of any of the officers.

The yeas and nays being demanded on said amendment by Messrs. Pennebaker and Walton, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---------------------|-----------------------|--------------------|
| T. T. Alexander, | Samuel Haycraft, | James Simpson, |
| Landaff W. Andrews, | Thornton F. Marshall, | Harrison Taylor, |
| John B. Bruner, | John A. Prall, | Cyrenius Wait, |
| Charles Chambers, | Albert G. Rhea, | E. Dudley Walker, |
| A. D. Cosby, | L. H. Rousseau, | C. J. Walton, |
| George Denny, | Henry M. Rust, | W. C. Whitaker—19. |
| John F. Fisk, | | |

Those who voted in the negative, were—

| | |
|---------------------------------------|----------------------|
| Mr. Speaker, (Porter,) J. E. Gibson, | Samuel H. Jenkins, |
| William T. Anthony, Robert E. Glenn, | John M. Johnson, |
| Benjamin P. Cissell, Asa P. Grover, | Wm. H. McBrayer, |
| William S. Darnaby, Thomas S. Grundy, | C. D. Pennebaker—14. |
| Alex. L. Davidson, John L. Irvan, | |

Ordered, That said bill, as amended, be read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with,

Messrs. Andrews and Walton moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

| | |
|--|--------------------|
| Mr. Speaker, (Porter,) John F. Fisk, | Samuel H. Jenkins, |
| William T. Anthony, J. E. Gibson, | John M. Johnson, |
| Landaff W. Andrews, Robert E. Glenn, | Wm. H. McBrayer, |
| Charles Chambers, Asa P. Grover, | C. D. Pennebaker, |
| Benjamin P. Cissell, Thomas S. Grundy, | John A. Prall, |

William S. Darnaby, Samuel Haycraft, Albert G. Rhea,
Alex. L. Davidson, John L. Irvin, Henry M. Rust—22.
Samuel E. DeHaven,

Those who voted in the negative, were—

T. T. Alexander, Thornton F. Marshall, Cyrenius Wait,
John B. Bruner, James Simpson, C. J. Walton,
George Denny, Harrison Taylor, W. C. Whitaker—10.
William C. Gillis,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate then, according to special order, took up for consideration the majority and minority reports from the Committee on Federal Relations.

Ordered, That the further consideration of said reports be postponed until to-morrow, at 10 o'clock, A. M.

According to general order, the Senate took up for consideration the resolutions offered by Mr. Rousseau concerning the navigation of the Mississippi.

Mr. Rousseau offered an amendment to said resolutions.

Mr. Cissell offered a substitute for the resolutions and amendment.

Ordered, That the Public Printer forthwith print 150 copies of the said substitute for the use of the members of the General Assembly, and that the further consideration of said resolutions, amendment, and substitute be postponed until to-morrow, at 4 P. M.

On motion of Mr. Gibson—

Leave was granted to bring in a bill of the following title, viz:
A bill to punish convicts in the penitentiary for maiming themselves.

Ordered, That the committee prepare and bring in said bill.

And then the Senate adjourned.

FRIDAY, MARCH 29, 1861.

Morgan B. Chinn, Sergeant-at-Arms of the Senate, in response to a resolution of the Senate passed at a former day of the session, made the following report, viz:

The Sergeant-at-Arms, in obedience to a resolution passed by the Senate on the 11th of February, 1861, reports that he has, in obedience to said resolution, purchased a clock for the use of the Senate, at a cost of *fifty dollars*; the old clock was taken at the sum of *ten dollars*, in part payment.

All of which is respectfully reported.

M. B. CHINN, *Sergeant-at-Arms.*

Which was received.

A message was received from the House of Representatives, announcing that they had passed bills originating in the Senate of the following titles, viz:

An act to incorporate the Davis Presbytery, of the Cumberland Presbyterian church.

An act to define the southern tax limits of the city of Louisville.

An act to authorize the jailer of Hardin county to appoint a deputy.

An act to incorporate the city of Paris.

An act concerning the counties of Carter, Lawrence, Boyd, and Greenup.

An act to prevent judges of the quarterly and county courts from practicing law in certain courts of their counties.

With amendments to the five last named bills.

And that they had passed bills of the following titles, viz:

An act to incorporate the town of Slaughterville, in the county of Webster.

An act for the benefit of school district No. 55, in Henry county.

An act to incorporate the Newcastle Cornet Band.

An act for the benefit of N. G. Stanley.

An act to authorize the county judge of Webster to change the State road.

An act in relation to roads and bridges in Greenup county.

An act in relation to the town of Greenupsburg.

An act in relation to school district, No. --, in Trigg county.

An act changing the times of holding the equity and criminal courts of Hickman and Fulton counties,

Under a suspension of the rules of the Senate,

Mr. Chambers offered the following resolution :

Resolved by the Senate, That during the remainder of this session, (except upon the resolutions regarding the free navigation of the Mississippi, upon which the Senator from McCracken has the floor,) no Senator shall be allowed to speak longer than ten minutes at any one time, nor oftener than once upon any one measure, until all other Senators desiring to speak have been heard.

Mr. Prall offered the following amendment:

And the report of the Committee on Federal Relations.

Mr. Marshall moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The yeas and nays being demanded thereon by Messrs. Prall and Grover, were as follows, viz :

Those who voted in the affirmative, were—

| | |
|--|-----------------------|
| Mr. Speaker, (Porter,) John F. Fisk, | Thornton F. Marshall, |
| T. T. Alexander, J. E. Gibson, | William H. McBrayer, |
| Landaff W. Andrews, William C. Gillis, | Chas. D. Pennebaker, |
| John B. Bruner, Asa P. Grover, | William B. Read, |
| Charles Chambers, Thomas S. Grundy, | James Simpson, |
| A. D. Cosby, Samuel Haycraft, | Harrison Taylor, |
| Alex. L. Davidson, John L. Irvan, | Cyrenius Wait, |
| Samuel E. DeHaven, Samuel H. Jenkins, | C. J. Walton—26. |
| George Denny, John M. Johnson, | |

Those who voted in the negative, were—

| | |
|--------------------------------------|-------------------|
| William T. Anthony, Robert E. Glenn, | L. H. Rousseau, |
| Benjamin P. Cissell, John A. Prall, | Henry M. Rust, |
| William S. Darnaby, Albert G. Rhea, | W. C. Whitaker—9. |

And so the main question was ordered.

The question was then taken on the amendment offered by Mr. Prall.

The yeas and nays being demanded thereon by Messrs. Andrews and Walton, were as follows, viz :

Those who voted in the affirmative, were—

| | |
|---------------------------------------|----------------------|
| Mr. Speaker, (Porter,) John F. Fisk, | William H. McBrayer, |
| Benjamin P. Cissell, Robert E. Glenn, | John A. Prall, |
| William S. Darnaby, Asa P. Grover, | Albert G. Rhea, |
| Alex. L. Davidson, Thomas S. Grundy, | Henry M. Rust, |
| George Denny, John M. Johnson, | E. Dudley Walker—15. |

Those who voted in the negative, were—

| | | |
|---------------------|-----------------------|------------------|
| T. T. Alexander, | J. E. Gibson, | William B. Read, |
| William T. Anthony, | Samuel Haycraft, | L. H. Rousseau, |
| Landaff W. Andrews, | John L. Irvan, | James Simpson, |
| John B. Bruner, | Samuel H. Jenkins, | Harrison Taylor, |
| Charles Chambers, | Thornton F. Marshall, | Cyrenius Wait, |
| A. D. Cosby, | C. D. Pennebaker, | C. J. Walton—19. |
| Samuel E. DeHaven, | | |

And so said amendment was rejected.

The question was then taken on the resolution offered by Mr. Chambers.

The yeas and nays being demanded on the adoption of said resolution by Messrs. Andrews and Walton, were commenced; but before the call had been finished, the hour having arrived for considering the bill reported by Mr. Johnson, from the Committee on Banks, of the following title, viz:

An act to amend the charters of the banks of issue in the State of Kentucky,

Mr. Andrews moved to lay said bill on the table.

The yeas and nays being demanded thereon by Messrs. Andrews and Walton, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---------------------|--------------------|-----------------------|
| Landaff W. Andrews, | Samuel E. DeHaven, | Thornton F. Marshall, |
| Charles Chambers, | George Denny, | James Simpson, |
| William S. Darnaby, | Asa P. Grover, | Harrison Taylor—11. |
| Alex. L. Davidson, | John L. Irvan, | |

Those who voted in the negative, were—

| | | |
|------------------------|----------------------|--------------------|
| Mr. Speaker, (Porter.) | Robert E. Glenn, | William B. Read, |
| T. T. Alexander, | Thomas S. Grundy, | Albert G. Rhea, |
| William T. Anthony, | Samuel Haycraft, | L. H. Rousseau, |
| John B. Bruner, | Samuel H. Jenkins, | Henry M. Rust, |
| Benjamin P. Cissell, | John M. Johnson, | Cyrenius Wait, |
| A. D. Cosby, | William H. McBrayer, | E. Dudley Walker, |
| John F. Fisk, | Chas. D. Pennebaker, | C. J. Walton, |
| J. E. Gibson, | John A. Prall, | W. C. Whitaker—25. |
| William C. Gillis, | | |

And so the Senate refused to lay said bill on the table.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That it shall and may be lawful for the banks of issue in the State of Kentucky, on the 15th day of April, 1861, to re-issue, in bank notes of denominations not less than one nor more than fifty dollars, the sum of two millions of dollars, redeemable in gold or silver at the expiration of two years from and after the date of such re-issue; the

amount aforesaid to be issued by the following named banks, in proportion to the capital stock actually taken and paid in, viz: the Commercial Bank, the Southern Bank, the People's Bank, Bank of Louisville, the Bank of Kentucky, the Farmers' Bank, the Northern Bank, and the Bank of Ashland.

§ 2. That the re-issue aforesaid shall be duly made known and designated by writing or stamping on the face of each bank note re-issued: this, the 15th day of April, 1861, and countersigned by the cashier of such bank.

§ 3. That it shall be the duty of the aforesaid banks, within three months after the 15th day of April, 1861, to loan to the citizens of each of the ten congressional districts, upon new accommodations, in sums of not more than one thousand dollars to each individual applicant, to be paid in calls of not more than ten per cent. upon the original amount loaned for the two first one hundred and twenty days said loan shall run, and not more than twenty per cent. for each one hundred and twenty days it may afterwards run, an amount not less than two hundred thousand dollars to each of the congressional districts in the State of Kentucky: *Provided*, That if there should not be suitable and satisfactory applications for the amount to which any district may be entitled before the 15th day of July next, then the said banks may lend in larger sums than one thousand dollars: *And provided further*, That if said banks fail to make the loans herein provided for within the time stated, for the want of proper and satisfactory applications therefor, then the said banks shall have the benefit of the provisions of this act, in case they shall make the loans aforesaid to the amount named in the year 1861: *Provided*, That if any of the persons fail to renew at the time aforesaid, the banks aforesaid shall have the right to coerce the payment of all that such persons may owe such banks.

§ 4. It shall be the duty of the Commercial Bank, and the Bank of Ashland, to make the said loans in districts 1 and 9; and the Southern Bank and People's Bank to make said loans in districts 2 and 3; the Bank of Kentucky and Bank of Louisville to make said loans in 4, 5, and 7; the Farmers' Bank and Northern Bank to make said loans in districts 6, 8, and 10.

§ 5. It shall be the duty of said banks, in making loans herein provided for, to divide the sum going to each district among the several counties composing such district, in proportion to the number of voters in each county respectively, as near as may be: *Provided*, That if there be not good and satisfactory applications from any county for the full amount for which such county is entitled within ninety days from the 15th April, 1861, then said banks may lend the remainder of the share of such county to citizens of other counties in the same district.

§ 6. That the re-issue provided for in this act, when made conformable thereto, shall be taken and received in payment and discharge of all dues and demands to the State of Kentucky, and all debts now owing to, or debts hereafter made payable to, said banks, and shall be taken on deposit by the banks accepting this act: *Provided*, The banks shall not be required to pay any other kind of funds than those deposited.

§ 7. That it shall be optionary with the banks herein mentioned in lieu of making the re-issue, as provided for in sections one and two of this act, to increase their circulation two million of dollars, in accordance with the terms and provisions of sections three, four, and five of this act; and if they shall so elect to increase their circulation, it shall be lawful for said banks to require all holders of their notes presenting the same for redemption to deposit the same, on a certificate of the cashier of such bank, thirty days before gold and silver shall be demanded in payment thereon. The circulation of two millions herein mentioned must be in addition to the circulation said banks had out on the first day of January, 1861.

§ 8. That the acceptance of the provisions of the seventh section of this act by the banks aforesaid, shall operate as a repeal of that portion of sections one and two of this act which provides for the re-issue of notes to the amount of two millions of dollars, redeemable at the expiration of two years.

§ 9. That it shall be the duty of the President and Directors of the banks aforesaid to make known to the Governor of this State, within thirty days from the date of this act, their acceptance of its provisions.

§ 10. That the Northern Bank of Kentucky, Bank of Kentucky, Bank of Louisville, Bank of Ashland, and Southern Bank, be, and they are hereby, allowed to issue notes of not less denomination than one dollar, anything in the acts restricting said banks to the contrary notwithstanding; but this section shall not be in force for a longer period than three years, nor unless the loans contemplated herein are made.

§ 11. This act to be in force from its passage.

Mr. Fisk presented sundry amendments to said bill.

Which were adopted.

Said amendments are as follows, viz:

Amend 17th line of section 3d, by striking out the word "coerce," and insert "enforce."

Amend 1st line, 7th section, by striking out the word "optionary," and insert "optional."

Amend 5th line, 3d section, by striking out the words "two first," and inserting the words "first two."

Mr. Prall moved to strike out the 10th section.

The yeas and nays being demanded on said motion by Messrs. Grover and Walton, were as follows:

Those who voted in the affirmative, were—

| | | |
|--|---|--|
| Mr. Speaker, (Porter,) Charles Chambers, William S. Darnaby, | Alex. L. Davidson, J. E. Gibson, Asa P. Grover, | John A. Prall, Albert G. Rhea, E. Dudley Walker—9. |
|--|---|--|

Those who voted in the negative, were—

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| T. T. Alexander, William T. Anthony, Landaff W. Andrews, John B. Bruner, | William C. Gillis, Robert E. Glenn, Thomas S. Grundy, Samuel Haycraft, | Chas. D. Pennebaker, L. H. Rousseau, Henry M. Rust, James Simpson, |
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Benjamin P. Cissell, John L. Irvan, Harrison Taylor,
A. D. Cosby, Samuel H. Jenkins, Cyrenius Wait,
Samuel E. DeHaven, John M. Johnson, C. J. Walton,
George Denny, Thornton F. Marshall, W. C. Whitaker—26.
John F. Fisk, William H. McBrayer,

And so the Senate refused to strike out said section.

Mr. Rhea moved to amend said bill as follows:

Amend 7th section, 4th line: where the word "to" occurs, strike it out and insert "and shall."

Which was adopted.

Mr. Rust offered the following amendment, viz:

"That the said banks, or any of them, are at liberty to accept the provisions of the foregoing bill, or to accept either of the provisions thereof."

The yeas and nays being demanded on said motion by Messrs. Walker and Andrews, were as follows, viz:

Those who voted in the affirmative, were—

| | |
|--------------------------------------|-------------------|
| Landaff W. Andrews, James Simpson, | Cyrenius Wait, |
| William S. Darnaby, Harrison Taylor, | W. C. Whitaker—7. |
| Henry M. Rust, | |

Those who voted in the negative, were—

| | |
|--|-----------------------|
| Mr. Speaker, (Porter,) John F. Fisk, | John M. Johnson, |
| T. T. Alexander, J. E. Gibson, | Thornton F. Marshall, |
| William T. Anthony, William C. Gillis, | William H. McBrayer, |
| John B. Bruner, Robert E. Glenn, | Chas. D. Pennebaker, |
| Charles Chambers, Asa P. Grover, | John A. Prall, |
| Benjamin P. Cissell, Thomas S. Grundy, | Albert G. Rhea. |
| A. D. Cosby, Samuel Haycraft, | L. H. Rousseau, |
| Alex. L. Davidson, John L. Irvan, | E. Dudley Walker, |
| Samuel E. DeHaven, Samuel H. Jenkins, | C. J. Walton—28. |
| George Denny, | |

Mr. Whitaker offered the following amendment, viz:

Amend the 4th section by adding after the figure 3, in the 3d line:—
"To be distributed between the Commercial Bank and Bank of Ashland, and the Southern Bank and People's Bank, *pro rata*, according to the amount of their capital stock paid in."

Which was adopted.

Mr. Walker offered the following amendment, viz:

Amend by striking out seventh section.

The yeas and nays being demanded on said motion by Messrs. Andrews and Alexander, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|-----------------------|----------------|---------------------|
| William S. Darnaby, | John A. Prall, | James Simpson, |
| William C. Gillis, | Henry M. Rust, | E. Dudley Walker—7. |
| Thornton F. Marshall, | | |

Those who voted in the negative, were—

| | | |
|--|---|--|
| Mr. Speaker, (Porter,) T. T. Alexander, W. T. Anthony, Landaff W. Andrews, James R. Barrick, John B. Bruner, Charles Chambers, Benjamin P. Cissell, A. D. Cosby, A. L. Davidson, | Samuel E. DeHaven, George Denny, John F. Fisk, J. E. Gibson, Robert E. Glenn, Asa P. Grover, Thomas S. Grundy, Samuel Haycraft, John L. Irvan, Samuel H. Jenkins, | John M. Johnson, W. H. McBrayer, C. D. Pennebaker, William B. Read, Albert G. Rhea, Harrison Taylor, Cyrenius Wait, C. J. Walton, W. C. Whitaker—29. |
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And so said amendment was rejected.

Ordered, That said bill, as amended, be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with, and the same having been engrossed,

The question was taken on its passage.

The yeas and nays being demanded thereon by Messrs. Irvan and Darnaby, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---|---|--|
| T. T. Alexander, W. T. Anthony, James R. Barrick, John B. Bruner, A. D. Cosby, John F. Fisk, William C. Gillis, | Robert E. Glenn, T. S. Grundy, Samuel Haycraft, S. H. Jenkins, J. M. Johnson, W. H. McBrayer, | C. D. Pennebaker, William B. Read, Albert G. Rhea, Cyrenius Wait, C. J. Walton, W. C. Whitaker—19. |
|---|---|--|

Those who voted in the negative, were—

| | | |
|---|--|--|
| Mr. Speaker, (Porter,) Landaff W. Andrews, Charles Chambers, Benjamin P. Cissell, William S. Darnaby, A. L. Davidson, | Samuel E. DeHaven, George Denny, J. E. Gibson, Asa P. Grover, John L. Irvan, Thornton F. Marshall, | John A. Prall, Henry M. Rust, James Simpson, Harrison Taylor, E. Dudley Walker—17. |
|---|--|--|

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate then, according to special order, took up for consideration the following report made by Mr. Prall, from a majority of the Committee on Federal Relations:

1. *Resolved by the General Assembly of the Commonwealth of Kentucky,* That with a view to earnest consultation and concert of action among those identified in interest and destiny, we invite the border slaveholding States, including North Carolina, Tennessee, and Arkansas, by their delegates, to meet delegates from Kentucky in convention, at the city of Louisville, on first Monday in September next, or such other time and place as said States may prefer.

2. *Resolved,* That in each of the precincts at the election to be held on the first Monday in August, a poll shall be opened for the election of delegates to said convention, and one delegate shall be elected by the voters of each Congressional District, and two from the State at large, subject to all the laws regulating other elections in this State.

3. *Resolved,* That the Governor be requested immediately to communicate copies of the foregoing resolutions to the Governors of the aforesaid States.

AN ACT to provide for the election of delegates to represent Kentucky in a Border Slave State Convention.

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That on the first Monday in August, 1861, an election shall be held in all the voting precincts in this Commonwealth, for twelve commissioners to represent Kentucky in a Border Slave State Convention, to assemble in the city of Louisville, on the first Monday in September next, or at such time after said first Monday in August as may be agreed upon by the other border slave States, to meet such commissioners as may be appointed by the other border slave States, to devise and perfect, if possible, some plan of adjustment of existing national difficulties; two of said commissioners shall be elected by the State at large, and one by the legally qualified voters of each Congressional District in this State.

§ 2. All the laws of this State regulating the election of State officers shall be applicable to the commissioners from the State at large, and the laws regulating the election of members of Congress shall be applicable to the election of commissioners from the districts aforesaid.

§ 3. The Governor shall commission the delegates certified to be elected; and said delegates shall be entitled, for their services, to the same pay and mileage now allowed by law to members of the General Assembly.

§ 4. This act shall take effect from and after its passage.

Mr. Simpson, from a minority of said committee, reported as follows, viz :

We do not concur with the majority of the committee, either as to the mode of the election of delegates to the proposed Convention, or with respect to the place where it shall be held.

As the delegates are to act for the whole State, they ought to represent the views of a majority of the people of the State. In order that they may do this, they should be elected by the State at large, in the same manner in which State officers are elected. If they are elected by districts, it might result in the election of delegates in some of the

districts who would be inimical to the preservation of the Union, although the sentiments of a very large majority of the people of the State should be decidedly in favor of its preservation. Should this occur, we would have a divided representation, inefficient in its action, and destitute of its proper weight and influence in the Convention. All the delegates should be actuated by the same motives, and have the same object in view, so that, acting in concert, they might be able to act with success and efficiency.

The principal reason in favor of electing members of Congress by districts, is, that they may be enabled to understand and attend to the local interests of their immediate constituents. This reason does not apply to these delegates. They will not have any local interests to foster or promote. The interests and welfare of the whole State, and not merely a particular part thereof, will be intrusted to their care. They should, therefore, be elected by a general vote of the people, in order that they may be in reality what they are designed to be, the actual representatives of the whole State in the proposed Convention.

As the proposition for a Convention of the border slave States originated in the State of Virginia, and Frankfort, Ky., is the place named in that proposition, we ought, as an act of courtesy and respect, to agree to the place proposed by that State. The Convention, when it assembles, can, if it be deemed expedient to do so, adjourn its sessions to any other more suitable place in the State. For this reason we are in favor of designating Frankfort as the place at which the Convention shall meet.

We herewith report a bill in conformity with these views, and to carry them into effect, which we offer as a substitute for the bill reported by a majority of the committee.

JAMES SIMPSON,
THORNTON F. MARSHALL.

The undersigned, one of the Committee on Federal Relations, concurs with the minority, so far as they indicate a preference for Frankfort as the place for the proposed Convention, and the first Saturday in May as the time for the election of delegates.

JOHN A. PRALL.

AN ACT to provide for the election of delegates to a Convention, to be held in Frankfort, Kentucky.

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That an election shall be held on the first Saturday in May next, at all the election precincts in this State, to elect twelve delegates to a Convention of the border slave States, and such other slave States as have not passed ordinances of secession, to meet at Frankfort, Ky.; and said delegates shall be voted for and elected by the State at large, in the same manner that State officers are now elected, and the same laws which apply to and regulate the mode of the election of State officers, by the qualified voters of the whole State, shall apply to and govern the election of said delegates.

§ 2. That the persons who may be thus elected, shall be commissioned by the Governor as delegates to said Convention, and are

empowered to meet the delegates from the States aforesaid in convention, for the purpose of consultation, and to determine and agree upon such terms of adjustment as will be satisfactory to the people of the States represented in said Convention. A majority of the delegates elected in this State shall have the power to appoint the time for the meeting of the Convention.

§ 3. That this act shall take effect from its passage.

Mr. Cissell moved to amend the amendment by way of substitute offered by Mr. Simpson to the majority report, as follows, viz:

Amend by striking out all after the enacting clause, in the first section, and insert:

That an election shall be held on the 1st Monday in June next, at all the election precincts in this State, to elect ten delegates to a Convention of the border slave States, and such other slave States as may see proper, to meet us at Louisville, Ky.; and said delegates shall be voted for and elected by the legally qualified voters of each congressional district, in the same manner that Congressmen are now elected, and the same laws which apply to and regulate the mode of the election of Congressmen, by the qualified voters of each congressional district, shall apply to and govern the election of said delegates.

The question being taken on the amendment offered by Mr. Cissell, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Cissell and Rust, were as follows, viz:

Those who voted in the affirmative, were—

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|---|--|--|
| Mr. Speaker, (Porter,) William T. Anthony, Charles Chambers, Benjamin P. Cissell, William S. Darnaby, | Alex. L. Davidson, J. E. Gibson, Robert E. Glenn, Asa P. Grover, Thomas S. Grundy, | John L. Irvan, John M. Johnson, William H. McBrayer, Henry M. Rust—14. |
|---|--|--|

Those who voted in the negative, were—

| | | |
|--|---|---|
| T. T. Alexander, Landaff W. Andrews, James R. Barrick, John B. Bruner, A. D. Cosby, Samuel E. DeHaven, George Denny, John F. Fisk, | William C. Gillis, Samuel Haycraft, Samuel H. Jenkins, Thornton F. Marshall, Chas. D. Pennebaker, John A. Prall, William B. Read, Albert G. Rhea, | L. H. Rousseau, James Simpson, Harrison Taylor, Cyrenius Wait, E. Dudley Walker, C. J. Walton, W. C. Whitaker—23. |
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And so said amendment was rejected.

Mr. Simpson moved to amend his amendment as follows:

Amend the second section, by striking out the last sentence in said section, and inserting in lieu thereof:

"The convention shall be held on the 27th of May next, or at such

other time as a majority of the delegates elected in this State may appoint, to suit the convenience of the delegates from the other States."

Which was adopted.

Messrs. Simpson and Denny moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the negative.

The yeas and nays being required thereon by Messrs. Cissell and Grover, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---------------------|-----------------------|--------------------|
| T. T. Alexander, | John F. Fisk, | L. H. Rousseau, |
| Landaff W. Andrews, | William C. Gillis, | James Simpson, |
| James R. Barrick, | Samuel Haycraft, | Harrison Taylor, |
| John B. Bruner, | Thornton F. Marshall, | Cyrenius Wait, |
| A. D. Cosby, | Chas. D. Pennebaker, | C. J. Walton, |
| George Denny, | William B. Read, | W. C. Whitaker—18. |

Those who voted in the negative, were—

| | |
|--|----------------------|
| Mr. Speaker, (Porter,) J. E. Gibson, | John M. Johnson, |
| William T. Anthony, Robert E. Glenn, | William H. McBrayer, |
| Charles Chambers, Asa P. Grover, | John A. Prall, |
| Benjamin P. Cissell, Thomas S. Grundy, | Albert G. Rhea, |
| William S. Darnaby, John L. Irvan, | Henry M. Rust, |
| Alex. L. Davidson, Samuel H. Jenkins, | E. Dudley Walker—19. |
| Samuel E. DeHaven, | |

And so the Senate refused to order the main question to be put.

Mr. Irvan offered the following amendment to Mr. Simpson's amendment, viz :

Strike out "1st Saturday in May," and insert "1st Monday in August."

The yeas and nays being required thereon by Messrs. Andrews and Rust, were as follows, viz :

Those who voted in the affirmative, were—

| | |
|---|----------------------|
| Mr. Speaker, (Porter,) Alex. L. Davidson, | John L. Irvan, |
| William T. Anthony, J. E. Gibson, | John M. Johnson, |
| Charles Chambers, Robert E. Glenn, | William H. McBrayer, |
| Benjamin P. Cissell, Asa P. Grover, | Albert G. Rhea, |
| William S. Darnaby, Thomas S. Grundy, | Henry M. Rust—15. |

Those who voted in the negative, were—

| | |
|---------------------------------------|--------------------|
| T. T. Alexander, William C. Gillis, | L. H. Rousseau, |
| Landaff W. Andrews, Samuel Haycraft, | James Simpson, |
| James R. Barrick, Samuel H. Jenkins, | Harrison Taylor, |
| John B. Bruner, Thornton F. Marshall, | Cyrenius Wait, |
| A. D. Cosby, Chas. D. Pennebaker, | E. Dudley Walker, |
| Samuel E. DeHaven, John A. Prall, | C. J. Walton, |
| George Denny, William B. Read, | W. C. Whitaker—22. |
| John F. Fisk, | |

And so said amendment was rejected.

Mr. Cissell offered the following amendment, viz:

Strike out "Frankfort," and insert "Louisville," in 5th line.

The yeas and nays being required on said amendment by Messrs. Grover and Cissell, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|----------------------|-------------------|----------------------|
| William T. Anthony, | Robert E. Glenn, | Albert G. Rhea, |
| Charles Chambers, | Thomas S. Grundy, | Henry M. Rust, |
| Benjamin P. Cissell, | John L. Irvan, | E. Dudley Walker—10. |
| Samuel E. DeHaven, | | |

Those who voted in the negative, were—

| | |
|--|--------------------|
| Mr. Speaker, (Porter,) John F. Fisk, | C. D. Pennebaker, |
| T. T. Alexander, J. E. Gibson, | John A. Prall, |
| Landaff W. Andrews, William C. Gillis, | William B. Read, |
| James R. Barrick, Asa P. Grover, | L. H. Rousseau, |
| John B. Bruner, Samuel Haycraft, | James Simpson, |
| A. D. Cosby, Samuel H. Jenkins, | Harrison Taylor, |
| William S. Darnaby, John M. Johnson, | Cyrenius Wait, |
| Alex. L. Davidson, Thornton F. Marshall, | C. J. Walton, |
| George Denny, Wm. H. McBrayer, | W. C. Whitaker—27. |

And so said amendment was rejected.

Mr. Rousseau offered the following amendment, viz:

"That said convention shall meet at Louisville or Frankfort, as a majority of the convention of the said several States may decide."

Messrs. Haycraft and DeHaven moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Prall and DeHaven, were as follows, viz:

Those who voted in the affirmative, were—

| | |
|--|--------------------|
| T. T. Alexander, John F. Fisk, | William B. Read, |
| Landaff W. Andrews, William C. Gillis, | L. H. Rousseau, |
| James R. Barrick, Samuel Haycraft, | James Simpson, |
| John B. Bruner, Samuel H. Jenkins, | Harrison Taylor, |
| Charles Chambers, John M. Johnson, | Cyrenius Wait, |
| A. D. Cosby, Thornton F. Marshall, | C. J. Walton, |
| Samuel E. DeHaven, C. D. Pennebaker, | W. C. Whitaker—22. |
| George Denny, | |

Those who voted in the negative, were—

| | |
|---------------------------------------|----------------------|
| Mr. Speaker, (Porter,) J. E. Gibson, | William H. McBrayer, |
| William T. Anthony, Robert E. Glenn, | John A. Prall, |
| Benjamin P. Cissell, Asa P. Grover, | Albert G. Rhea, |
| William S. Darnaby, Thomas S. Grundy, | Henry M. Rust, |
| Alex. L. Davidson, John L. Irvan, | E. Dudley Walker—15. |

And so said previous question was sustained.

The question was taken on adopting the amendment offered by Mr. Rousseau, and it was rejected.

The yeas and nays being required on said motion by Messrs. Rousseau and Walton, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|--------------------|--------------------|--------------------|
| James R. Barrick, | John F. Fisk, | Albert G. Rhea, |
| John B. Bruner, | William C. Gillis, | L. H. Rousseau, |
| Charles Chambers, | Thomas S. Grundy, | Harrison Taylor, |
| Alex. L. Davidson, | Samuel Haycraft, | E. Dudley Walker, |
| Samuel E. DeHaven, | C. D. Pennebaker, | C. J. Walton, |
| George Denny, | William B. Read, | W. C. Whitaker—18. |

Those who voted in the negative, were—

| | | |
|---|--------------------------------|--|
| Mr. Speaker, (Porter,) T. T. Alexander, | J. E. Gibson, Robert E. Glenn, | Thornton F. Marshall, William H. McBrayer, |
| William T. Anthony, | Asa P. Grover, | John A. Prall, |
| Landaff W. Andrews, | John L. Irvan, | Henry M. Rust, |
| Benjamin P. Cissell, | Samuel H. Jenkins, | James Simpson, |
| A. D. Cosby, | John M. Johnson, | Cyrenius Wait—19. |
| William S. Darnaby, | | |

The question was then taken on the adoption of the amendment reported by Mr. Simpson, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Taylor and Alexander, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---------------------|-----------------------|--------------------|
| T. T. Alexander, | John F. Fisk, | L. H. Rousseau, |
| Landaff W. Andrews, | William C. Gillis, | James Simpson, |
| James R. Barrick, | Samuel Haycraft, | Harrison Taylor, |
| John B. Bruner, | Samuel H. Jenkins, | Cyrenius Wait, |
| A. D. Cosby, | Thornton F. Marshall, | E. Dudley Walker, |
| Samuel E. DeHaven, | Chas. D. Pennebaker, | C. J. Walton, |
| George Denny, | William B. Read, | W. C. Whitaker—21. |

Those who voted in the negative, were—

| | | |
|--|--------------------------------|---------------------------------------|
| Mr. Speaker, (Porter,) William T. Anthony, | J. E. Gibson, Robert E. Glenn, | John M. Johnson, William H. McBrayer, |
| Charles Chambers, | Asa P. Grover, | John A. Prall, |
| Benjamin P. Cissell, | Thomas S. Grundy, | Albert G. Rhea, |
| William S. Darnaby, | John L. Irvan, | Henry M. Rust—16. |
| Alex. L. Davidson, | | |

Ordered, That said bill, as amended, be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with, and the same having been engrossed,

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The question was then taken on its passage, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bruner and Rhea, were as follows, viz :

Those who voted in the affirmative, were—

| | | |
|---|---|---|
| Mr. Speaker, (Porter,) T. T. Alexander, William T. Anthony, Landaff W. Andrews, James R. Barrick, John B. Bruner, Charles Chambers, Benjamin P. Cissell, A. D. Cosby, William S. Darnaby, Alex. L. Davidson, Samuel E. DeHaven, George Denny, | John F. Fisk, J. E. Gibson, William C. Gillis, Robert E. Glenn, Asa P. Grover, Thomas S. Grundy, Samuel Haycraft, John L. Irvan, Samuel H. Jenkins, John M. Johnson, Thornton F. Marshall, William H. McBrayer, | Chas. D. Pennebaker, John A. Prall, William B. Read, Albert G. Rhea, L. H. Rousseau, Henry M. Rust, James Simpson, Harrison Taylor, Cyrenius Wait, E. Dudley Walker, C. J. Walton, W. C. Whitaker—37. |
|---|---|---|

In the negative—none.

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

And so said motion to reconsider was laid on the table.

Messrs. Fisk and Taylor moved to reconsider the vote by which said bill was passed.

Messrs. Bruner and Andrews moved to lay said motion to reconsider on the table.

The yeas and nays being required thereon by Messrs. Fisk and Bruner, were as follows, viz :

Those who voted in the affirmative, were—

| | | |
|---|---|--|
| T. T. Alexander, Landaff W. Andrews, James R. Barrick, John B. Bruner, Charles Chambers, A. D. Cosby, Alex. L. Davidson, Samuel E. DeHaven, George Denny, John F. Fisk, | J. E. Gibson, William C. Gillis, Robert E. Glenn, Asa P. Grover, Samuel Haycraft, Samuel H. Jenkins, John M. Johnson, John A. Prall, William B. Read, | Albert G. Rhea, L. H. Rousseau, Henry M. Rust, James Simpson, Harrison Taylor, Cyrenius Wait, E. Dudley Walker, C. J. Walton, W. C. Whitaker—29. |
|---|---|--|

Those who voted in the negative, were—

| | | |
|---|---------------------------------------|----------------------------------|
| Mr. Speaker, (Porter,) William T. Anthony, Benjamin P. Cissell, | William S. Darnaby, Thomas S. Grundy, | John L. Irvan, W. H. McBrayer—7. |
|---|---------------------------------------|----------------------------------|

And so said motion to reconsider was laid on the table..

Messrs. Andrews and Bruner moved to reconsider the vote by which the Senate laid the motion to reconsider on the table.

And the question being taken on said motion, it was decided in the affirmative.

By leave of the Senate, Mr. Fisk then withdrew his motion to reconsider the vote by which said bill was passed.

Mr. Gillis, from the Committee on Enrollments, reported that they had examined sundry enrolled bills originating in the Senate of the following titles, viz :

An act for the benefit of school district No. 36, in Livingston county.

An act concerning the Wilderness turnpike road.

An act giving further time to ministers of the gospel and other persons to return marriage license.

An act for the benefit of the Presbyterian church at Paris.

An act to amend the charter of the Louisville and Nashville railroad company.

An act to change the line between the Bethel and Wyoming precincts, in Bath county.

An act for the benefit of Isaac E. Johnson and James E. Hawkins.

An act for the benefit of S. E. G. Cole, of Todd county.

An act to amend the charter of the city of Louisville, approved March 24, 1851.

Also bills originating in the House of Representatives, of the following titles, viz :

An act to authorize the election of a police judge in the town of Irvine.

An act to incorporate the town of Quincy, in Lewis county.

An act to amend the charter of the Louisville turnpike road company.

An act to change the line of a precinct in Montgomery county.

An act to change a voting place in Powell county.

An act to amend the charter of the Ruddle's Mill and Shawhan's Station turnpike road company.

An act to incorporate the Excelsior Literary Society of Greenville.

An act to incorporate Compass Lodge, No. 223, of Louisville.

And that the same were correctly enrolled.

Whereupon the Speaker affixed his signature to said bills, and they were returned to the committee, to be by them presented to the Governor for his approval, and signature.

The Senate then, according to general order, took up for consideration bills originating in the Senate of the following titles, viz:

An act to prevent judges of quarterly and county courts from practicing law in certain courts of their counties.

To which the House of Representatives, had proposed two amendments.

Ordered, That the Senate concur in the first amendment, and that it refuses to concur in the second.

An act concerning the counties of Carter, Lawrence, Boyd, Greenup, and Ohio.

Mr. Taylor offered the following amendment to the amendment proposed by the House of Representatives to said bill, viz:

The provisions of this act shall not apply to the counties of Mason, Lewis, Kenton, Campbell, Harrison, Bracken, Fleming, Rowan, Nicholas, Bourbon, Bath, Clarke, Montgomery, Jefferson, Boone, Woodford, Franklin, Jessamine, Daviess, McLean, Casey, Boyle, Cumberland, Clinton, Wayne, Russell, McCracken, Henderson, Union, Crittenden, Webster, Hopkins, Henry, Oldham, Trimble, Fayette, Scott, Adair, Whitley, Laurel, Knox, Rockcastle, Hardin, Meade, Carroll, Gallatin, Owen, Grant, Pendleton, Breckinridge, Marion, Washington, Madison, Garrard, Shelby, Spencer, Estill, Logan, Butler, and Simpson, the city court of Paducah, nor to the circuit courts of the counties of Daviess and McLean.

Which was adopted.

Mr. Alexander offered the following amendment, viz:

That the resident citizens of the counties wherein the courts are abolished or suspended, shall not be permitted to institute suits of any kind, nor entitled to judgments on suits already brought in any of the courts in this Commonwealth during the suspension of the courts provided for in this act; and should such suits be instituted in any of the courts in this Commonwealth, by any of the citizens living in the counties in which the courts are suspended, this act may be plead in abatement of the action.

The yeas and nays being required on said motion by Messrs. Alexander and Walker, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|----------------------|-----------------------|--------------------|
| T. T. Alexander, | John F. Fisk, | John A. Prall, |
| Landaff W. Andrews, | Asa P. Grover, | William B. Read, |
| John B. Bruner, | Thomas S. Grundy, | Albert G. Rhea, |
| Benjamin P. Cissell, | Samuel Haycraft, | James Simpson, |
| William S. Darnaby, | John L. Irvin, | Harrison Taylor, |
| Alex. L. Davidson, | John M. Johnson, | Cyrenius Wait, |
| Samuel E. DeHaven, | Thornton F. Marshall, | W. C. Whitaker—22. |
| George Denny, | | |

Those who voted in the negative, were—

| | |
|---|-------------------|
| Mr. Speaker, (Porter,) William C. Gillis, | Henry M. Rust, |
| Charles Chambers, Robert E. Glenn, | E. Dudley Walker, |
| A. D. Cosby, Samuel H. Jenkins, | C. J. Walton—11. |
| J. E. Gibson, C. D. Pennebaker, | |

And so said amendment was adopted.

Mr. Walker offered the following amendment, viz:

Provided, The provisions of this act shall not apply to Ohio so far as to suspend the holding of the next fall term of said circuit court.

Which was adopted.

Mr. Rust offered the following amendment, viz:

Amend by adding the following additional section: “That nothing herein contained shall prevent any motion or order being made necessary for the preparation of any civil action, either ordinary or equitable, which may now be pending, or which may hereafter be instituted, in any of the courts embraced within this act.”

Which was adopted.

The question was then taken on concurring in the amendment proposed by the House of Representatives as amended, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Cissell and Alexander, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---------------------|-----------------------|------------------|
| William T. Anthony, | Robert E. Glenn, | William B. Read, |
| John B. Bruner, | Samuel H. Jenkins, | Henry M. Rust, |
| A. D. Cosby, | John M. Johnson, | Cyrenius Wait, |
| Alex. L. Davidson, | Thornton F. Marshall, | C. J. Walton—14. |
| J. E. Gibson, | William H. McBrayer, | |

Those who voted in the negative, were—

| | |
|---------------------------------------|--------------------|
| Mr. Speaker, (Porter,) George Denny, | John A. Prall, |
| T. T. Alexander, John F. Fisk, | Albert G. Rhea, |
| Landaff W. Andrews, Asa P. Grover, | L. H. Rousseau, |
| Charles Chambers, Thomas S. Grundy, | James Simpson, |
| Benjamin P. Cissell, Samuel Haycraft, | Harrison Taylor, |
| William S. Darnaby, John L. Irvin, | E. Dudley Walker, |
| Samuel E. DeHaven, C. D. Pennebaker, | W. C. Whitaker—21. |

And so the Senate refused to concur in said amendment.

According to special order, the Senate resumed the consideration of the resolutions concerning the navigation of the Mississippi.

Ordered, That the further consideration of said resolutions be postponed until to-morrow, at 11 o'clock, A. M.

On motion of Mr. Bruner,

Leave was granted to bring in a bill for the benefit of the sheriff of Grayson county.

Ordered, That Messrs. Bruner, Grundy, and Whitaker prepare and bring in said bill.

And then the Senate adjourned.

SATURDAY, MARCH 30, 1861.

Mr. Rust presented the petition of H. H. Farris & Co., praying the passage of an act incorporating a coal company at Catlettsburg.

Which was received, the reading dispensed with, and referred to the Committee on the Judiciary.

Under a suspension of the rules, bills of the following titles were reported, viz:

By Mr. Irvan, from the Committee on Privileges and Elections—

1. A bill to create an additional justices' district and election precinct in Breckinridge county.

By Mr. Taylor, from the Committee on Internal Improvement—

2. A bill to amend an act, entitled "An act authorizing the county courts of Meade and Breckinridge to change a State road."

3. A bill to amend the charter of the Elizaville and Pleasant Valley turnpike road company.

4. A bill declaring Salt Lick creek, in Lewis county, a navigable stream.

5. A bill to amend the charter of the Lexington and Southern Kentucky railroad company.

6. A bill to amend the charter of the North Middleton and Levy turnpike road company.

By Mr. Cosby, from the Committee on Education—

7. A bill for the benefit of school district No. 11, in Owsley county.

By Mr. Haycraft, from the Committee on Circuit Courts—

8. A bill for the benefit of Shelby and Spencer counties.

9. A bill for the benefit of Charles J. Clarke, late clerk of the Louisville chancery court.
By Mr. Johnson, from the Committee on Banks—
10. A bill to amend the charter of the Portland Savings Bank.
11. A bill for the benefit of the bank of Louisville.
12. A bill to establish certain holidays, and for other purposes.
By Mr. Bruner, from a select committee—
13. A bill for the benefit of the sheriff of Grayson county.
By Mr. Alexander, from a select committee—
14. A bill to amend the charter of Edmonton.
By Mr. Gillis, from a select committee—
15. A bill for the benefit of William A. Sallee, of Pulaski county.
By Mr. Haycraft, from a select committee—
16. A bill to allow circuit court clerks certain fees in felony cases.
By Mr. Gillis, from the Committee on Education—
17. A bill giving further time to delinquent common school districts to report.
By Mr. Cissell, from the Committee on the Judiciary—
18. A bill for the benefit of G. R. Carlisle, late sheriff of Hopkins county.
19. A bill to incorporate the town of Nebo, in Hopkins county.
20. A bill to incorporate the Paducah Printing Office Company.
21. A bill to amend the charter of the Paducah Fire, Marine, and Life Insurance Company.
22. A bill to amend first section of an act in relation to the duties of circuit clerks.
23. A bill to create the office of police judge and town marshal in Cromwell, Ohio county.
24. A bill to incorporate Truisco Lodge, Ancient German Order of Harugari, No. 68.
25. A bill to incorporate the Germania Lodge, No. 63, of Ancient German Order of Harugari.
26. A bill to incorporate the German Oak Lodge of Ancient German Order of Harugari.
27. A bill to incorporate Louisville Lodge, No. 88, of Ancient German Order of Harugari.
28. A bill to amend section 19, article 4, chapter 63, Revised Statutes.
By Mr. Andrews, from the Committee on the Judiciary—
29. A bill to empower the county courts of Nicholas and Logan counties to make subscriptions to turnpike roads in said counties.

By Mr. Whitaker, from the Committee on Circuit Courts—

30. A bill re-enacting the 4th, 5th, and 6th sections of the 97th chapter of Revised Statutes, entitled "Sureties and Co-obligors."

31. A bill regulating the July term of the Mason circuit court.

32. A bill incorporating the Spencer and Shelby turnpike road company.

By Mr. Grundy, from the Committee on Propositions and Grievances—

33. A bill for the benefit of the towns of Shelbyville and Elkton.

34. A bill to declare Clifty creek a navigable stream:

By Mr. Rhea, from the Committee on Finance—

35. A bill for the benefit of school district No. 59, in Logan county.

By Mr. Alexander, from the Committee on Finance—

36. A bill authorizing the Governor to draw his warrant on the Treasurer to pay for medals.

37. A bill for the benefit of Thomas Basye, of Oldham county.

38. A bill for the benefit of Henry Lucas.

39. A bill to inclose the grounds of the Institution for Feeble-Minded Children.

By Mr. Walton, from the Committee on Education—

40. A bill for the benefit of school district No. 32, in Barren county.

41. A bill for the benefit of school district No. 10, in Harlan county.

42. A bill for the benefit of O. F. Rankin, of Kenton county.

Which were read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bills having been dispensed with,

Ordered, That the Public Printer forthwith print 150 copies of the 28th for the use of the members of the General Assembly, and that it be placed in the orders of the day; that the 36th, 37th, 38th, and 39th be placed in the orders of the day; that the 12th be laid on the table; and that the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 13th, 14th, 15th, 16th, 17th, 18th, 19th, 20th, 21st, 22d, 23d, 24th, 25th, 26th, 27th, 29th, 30th, 31st, 32d, 33d, 34th, 35th, 40th, 41st, and 42d, be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of said bills having been dispensed with, and the same having been engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Johnson, from the Committee on Banks, to whom it had been referred, reported a bill originating in the Senate of the following title, viz:

A bill to establish the Sinking Fund Bank.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That a bank shall be, and is hereby, established in the name and on behalf of the State of Kentucky, to be known as the Sinking Fund Bank, and by that name may sue and be sued, plead and be impleaded, have and use a common seal, and to be a corporation with the powers and for the objects provided in this charter for the term of — years from the time this act goes into effect; said bank shall be capable in law and fact to have and hold, purchase, receive, and enjoy for itself lands, rents, tenents, hereditaments, goods, chattels, debts, and choses in action of every kind; and shall have the power to sell, dispose of, and convey the same, and to adopt and execute all necessary by-laws for the regulations of the institution, not inconsistent with this act, and from time to time to alter, amend, or abolish the same.

§ 2. The whole capital stock of said bank shall be exclusively the property of the State, and no individual or corporation shall be permitted to own or pay for any part of the capital of said bank.

§ 3. That said president and directors shall have power to issue notes, signed by the president and countersigned by the cashier, not under the denomination of one dollar, nor over one hundred dollars, on behalf of said corporation, for such sums and with such devices as they may deem most expedient and safe; they shall also be capable of exercising such other powers and authorities as may be necessary for the well governing and ordering the affairs of the said corporation, and of promoting its interest and credit. The capital stock of said bank shall be fifteen millions of dollars; but the said bank and branches shall be put into operation so soon as one million of dollars of capital is realized; said capital shall be made up as follows: stock held by the State in the Bank of Kentucky, and stock held in the same by the Board of Education, Northern Bank of Kentucky, Southern Bank of Kentucky, Bank of Louisville, amounting in the aggregate to \$2,605,500. The debt and bonds owing by the State to the school fund and Board of Education, amounting to one million three hundred and eighty-one thousand eight hundred and thirty-two dollars and thirteen cents, on 6th December, 1860, and such further sums as may be now due said Board of Education, not otherwise appropriated; also all the dividend from said bank stock, lease dividends from turnpikes and railroads, the interest on the individual loan of the sinking fund, and all the other resources of the sinking fund; that the Governor shall execute to the Board of Education bonds for such amount as may be due them on said school fund, for principal or interest, and which has not already been appropriated by law, said bonds not to run for

more than thirty years, at interest of not more than six per cent., payable semi-annually on — day of —, in each year, at —, but redeemable at the pleasure of the State. The bank stock and State bonds as before named, may be sold by said bank to raise the cash capital to put the same into operation, the bank stock at not less than par for each dollar of stock; and also for such other amount as the pro rata interest of the stock in the reserved and contingent, and surplus fund in each of said banks may be worth, and the State bonds at not less than par; and when \$— of gold and silver coin is raised said bank shall be put into operation. The Governor of the Commonwealth, together with the Auditor of Public Accounts and State Treasurer, and the president of said bank, shall constitute the sinking fund commissioners, by virtue of their said offices; and all laws coming within the purview of this act are hereby repealed. Any surplus dividends or accumulations, after discharging all the liabilities of the State, which may be imposed on said bank by law, shall go into the capital stock of said bank.

§ 4. And to make up the remainder of the capital stock, the Governor shall, from time to time, issue the bonds of the State, having not longer than 30 years to run, bearing an annual interest of not exceeding 6 per cent., payable semi-annually, on the — day of —, in each year, at —, as may, from time to time, be directed by the Legislature, and which bonds may be sold by said bank at not less than their par value; this bank shall be the fiscal agent of the State, and the State shall transact her business through said bank.

§ 5. The bank hereby established shall pay all moneys that may be required to meet interest that may become due on the bonds or loan mentioned.

§ 6. That it shall be the duty of said bank to redeem its notes in gold and silver at the places where made payable, which notes shall be payable on demand: *But provided*, That when, from any cause, the coin of said bank shall be reduced below one of coin for three of circulation, then said bank may suspend specie payment until the coin is up to ten per cent. over one in coin to three in circulation, when it shall again pay specie; and it shall be the duty of the president and directors to bring said bank up to specie payment, so soon as practicable, by increasing the coin of said bank; and the faith of the State shall be pledged for the redemption of the circulation of said bank, and the State shall be liable for its redemption.

§ 7. That all the assets of said bank of any and every kind, its property, liens, and mortgages, after defraying its expenses, shall be held as a fund sacredly pledged for the redemption of its notes; and the profits of the bank and its assets shall be used for no other purpose, except to pay off and discharge the liabilities of the State of Kentucky, increase the resources of the sinking fund, and such other liabilities as are herein provided.

§ 8. The principal bank shall be located at the capital of the State, and one branch shall be located in each Congressional District of the State, as it may be laid off when the said branches are to be located; the capital of the main bank and each branch shall be according to

the number of qualified voters in each Congressional District; but the Legislature may establish two additional branches in each district, if they deem expedient, and as the capital of the bank increases. The first session of the Legislature after this act goes into effect shall appoint a board of directors of safe, discreet, and prudent men, for the principal bank; which board of directors shall appoint one of their number president; said board shall also appoint all the other necessary officers. That said board of the main branch shall also select a board of directors for each branch, which board shall in like manner choose from among themselves their president, and shall appoint such other officers as may be necessary. Every officer of said bank shall, before he enters on the discharge of his duty, take the following oath or affirmation, to-wit: I, (A. B.,) do solemnly swear, or affirm, that I will faithfully discharge the duties assigned me according to the best of my skill and ability, and that I will not, directly or indirectly, for myself or others, loan the funds of said bank at a greater interest than is allowed by law, so help me God. Which oath or affirmation may be made before any officer authorized by law to administer oaths, and shall be entered on the records of said bank or branch to which the officers is [are] appointed.

§ 9. That said bank and branches shall be a place of deposit for all the public moneys received by the Treasurer or other officers of the State; it may receive moneys on deposit from individuals or corporations, but shall pay no interest on the same; its circulation shall at all times be receivable for all taxes and dues to the State and counties, and all the officers and employees of the State, and county officers and creditors, shall receive the same at par for their salaries or dues; said bank shall not do more than one third of its business on bills of exchange, and shall take only such bills as are drawn in good faith to be paid at maturity and at the place where payable; the other two thirds shall be done on six per cent. paper, not having longer than four months to run, and in sums of not less than twenty-five dollars, but which may be received from time to time by paying a call not exceeding twenty per cent.; should the officers deem it necessary to make said call by giving thirty days' notice, save sums of twenty-five dollars shall be paid or renewed in whole; that six per cent. investments, nor re-investments in exchange in cities where the funds may accumulate, shall be estimated in the bill business, nor suspended debt or claims; that the loans and accommodation of said bank and branches shall be apportioned among the various counties in each district according to number of white males over twenty-one years; but if the citizens of any county shall not, in a reasonable time, call for such loans, the board of directors, by giving ten days' notice of the fact in any authorized newspaper in such counties, or if none therein, then any in the district, shall have the right to loan such portion of any such county as may remain uncalled for, to the citizens of any other county or counties.

§ 10. The total amount of debts which said bank shall at any time owe, whether by bond, bill, note, or contract, shall not exceed double the amount of capital actually realized in coin or paid up; and in case

of excess, the directors under whose administration it shall happen, shall be liable for the same in their individual capacities, except those who were absent at the time, or entered their protest against the same on record; and an action of debt may, in such cases, be brought against them, or any of them, their heirs, executors, or administrators, in any court in the State having jurisdiction, by any creditor or creditors of said corporation, and may be prosecuted to judgment and execution.

§ 11. There shall be seven directors to the main branch and each branch, five of whom shall be residents of the county where the bank or branch is located, a majority of whom shall constitute a board to do business; but the Legislature may, if it deems advisable, authorize said board to appoint, of the bank and each branch, one good, safe, prudent sub-director in each county of their respective districts, who shall enter into bond, with good security, to said bank or branches, in a penalty not less than \$25,000, faithfully to discharge all his duties, and pay over all moneys, &c., received by him; he shall have power, under a rule of said bank or branches, to renew any paper after it has been once discounted, by getting the same names, or others, if required by the board for which he may be appointed; and he shall receive and pay over to the order of said board any funds he may receive on calls on such paper or otherwise for said bank; the board which appointed such sub-director shall provide what shall be the compensation when appointed, or by loan of so much without interest, instead of pay; and so long as it may be consistent with the interests of said bank, the portion of funds for each county shall be loaned and re-loaned to the citizens of each county, and the portion due each county shall be ascertained from the assessor's books each year, as reported by the Auditor, taking for a basis the white males over 21 years; said sub-directors shall not be compelled to attend the meetings of the board, nor shall they vote when in attendance.

§ 12. No person who shall accept any office in this bank, or any of its branches, shall hold any office in any other bank or branch, and the acceptance of any such position in any other bank shall vacate his office in this bank or branch.

§ 13. It shall be the duty of said bank, as soon as practicable after the first of January in each year, to cause an account of the condition of said bank and branches to be made and reported to the Governor of the State.

§ 14. The Legislature, from time to time, shall fix the salaries of the president and cashier of the main bank and branches, and each board of directors shall fix the compensation of the clerks and tellers of their bank or branches, as well as all other officers or employees.

§ 15. The president and directors shall keep fair and legible entries (in a book or books to be kept for that purpose) of their proceedings, and on any question, when two directors shall require it, the yeas and nays of the directors shall be duly inserted in the minutes, and those minutes to be at all times, on demand, produced to the Legislature, or any committee thereof, who may be legally authorized to receive the same.

§ 16. The sheriff and other collectors of the revenue tax and levies shall receive the notes of this bank, or any other specie paying banks in this Commonwealth, for all taxes or other dues to the State and county; all officers or creditors of the State or several counties who are or may hereafter be entitled to draw their salaries or demands from the public treasury or county treasury, shall receive the sums to which they are entitled in the paper of this bank at par; and any officers of the State who shall, either directly or indirectly, purchase the notes of this bank at a discount, shall be subject to a fine of five hundred dollars, to be recovered by indictment in any court of record having jurisdiction of the cause, one fourth of which shall go to the informer, the balance to the principal bank or branch in the district where the offense was committed most convenient to the place where the same was committed; and said officer shall, moreover, be dismissed from office by the person from whom he received the appointment; and the judges of the circuit courts shall give such offense in charge to the grand jury.

§ 17. It shall be in the power of the president and directors of the principal bank, to withdraw any branch at any time when its concerns may be mismanaged, or the profits thereof may not be sufficient to defray expenses: *Provided, however,* The causes of such withdrawal shall be reported to the succeeding session of the General Assembly for their approval or rejection, and if disapproved by the General Assembly, then said branch bank shall be restored.

§ 18. The bills or notes under the seal of said corporation, which may be made to any person or persons, shall be assignable, by indorsement thereon, under the hand or hands of such person or persons, of his, her, or their assignee or assignees, and so as absolutely to transfer and vest the property thereof in each and every assignee or assignees, to bring and maintain action thereupon in his, her, or their own name or names; and bills and notes which may be issued by order of the said corporation, signed by the president and countersigned by the cashier of the principal bank, promising the payment of money to any person or persons, his, her, or their order, or to the bearer, though not under the seal of the corporation, shall be binding and obligatory upon the same in the like manner and with like force and effect as upon any private person, if issued by him, her, or them, in his, her, or their private or natural capacity or capacities, and shall be assignable and negotiable in like manner as if they were issued by such private person or persons; that is to say, those which are, or shall be payable to any person, or persons, his, her, or their order, shall be assignable by indorsement, in like manner, with the like effect, as foreign bills of exchange now are; and those which or shall be payable to bearer, shall be negotiable and payable by delivery only. No president, director, officer, or servant of the said bank shall be concerned, either directly or indirectly, in the practice of advancing or loaning out the funds of the institution at an illegal rate of interest, whether the same be done or effected under the form or color of a purchase, or exchange of notes, acceptances, or due bills, checks on banks, acknowledgments, or any other way or manner whatsoever; and all and every such president, direc-

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tor, officer, clerk, or servant of said bank, who shall be concerned as aforesaid in any such practices, shall forfeit and pay for each offense one thousand dollars, to be recovered by an action of debt in any court of record having jurisdiction of the offense, one fourth to the informer, the balance to the use of the State. No private banker shall be eligible to any office in this bank or branches.

§ 19. No loan shall be made by said bank to any corporation, government, or State, except the Commonwealth of Kentucky, nor to any person or persons residing in any other government, State, or Territory, unless by authority of a special act of the Legislature.

§ 20. The president and directors of the principal bank shall prescribe the form of the notes to be executed by persons borrowing money of said bank, or branches thereof; and whenever a loan may be made to any person or persons, the person whose name is first subscribed to the note of hand shall have the right to control the amount loaned by his check or otherwise; and the note so executed may be put in suit by said bank at any time they may think proper after they become due; and all such notes of hand shall be debts of superior dignity, and shall be paid first by executors and administrators. That said bank may discount any note or bill payable at any of its offices, or to any bank or corporation, whether payable at any of its offices or not; and when so discounted, the same shall be placed on the footing of foreign bills of exchange; and each party on said note or bill, whether as payor or payee, drawer or drawee, acceptor or indorser, or guarantor, shall be held responsible accordingly, and said bank may sue and recover judgment as on such foreign bills of exchange against any or all of said parties.

§ 21. The president and directors of the main bank shall cause to be engraved and printed notes for circulation, of not less denomination than one dollar nor higher than one hundred dollars, which shall be payable to bearer, or to some person and bearer, which notes shall be signed by the president and countersigned by the cashier of the principal bank, payable at the same or any of its branches. The cashier and teller of the principal bank, and each branch, shall execute a bond, with good security, in the penalty of \$_____, payable to said bank conditioned for the faithful performance of his duty as such cashier or teller; and for malfeasance, misfeasance, or non-feasance of his official duty, a recovery may be had on such bond.

§ 22. The directors of the main bank and branches shall be elected by the Legislature for two years, and they and each officer shall continue in office until their successors are duly qualified; each board shall have power to fill any vacancies which may occur in their bank or branch. The president and directors of the main bank shall make such by-laws, not only for themselves, but the branches, as may be necessary, which by-laws each branch shall observe; if any officer of the principal bank, or either branches, shall be guilty of embezzling, purloining, or reserving any of the funds of said bank or branches for their own private purposes, or shall make, or cause to be made, any false entries in any of the books of said bank or branches, or shall defraud, or attempt to defraud, the said bank or either of its branches, in any way

whatever, such person or persons shall be held and deemed a felon, and may be indicted by a grand jury, in the county where the same occurred; and if convicted, shall be sentenced to undergo a confinement in the jail and penitentiary house for a term not to exceed ten nor less than five years.

§ 23. This bank shall be, and is hereby, made the financial agent for and on behalf of the State of Kentucky, to receive from the Treasurer, on the warrant of the Auditor, all sums of money arising from any source, which is now, or may hereafter, be set apart as resources of the sinking fund, to be used as other capital, taking care to be provided at all times with funds to pay the interest on internal improvement bonds, in the manner prescribed by law; they shall disburse all sums due to persons holding bonds of the State issued for internal improvements, or other purposes, and shall, whenever necessary, advance money for the State, free of interest or charge. Said bank shall have the power to buy and sell bills of exchange to command eastern funds, with a view to discharge the various demands on the sinking fund.

§ 24. This act shall not go into effect until it shall have been submitted to the voters of the State, at the first general election after its passage; and it shall be the duty of the officers at each voting precinct to open a poll, headed For the Sinking Fund Board; and if a majority of those voting at said election in the different counties shall be for it, the Governor shall then issue his proclamation giving notice of the same, and the next General Assembly shall proceed to elect the officers of said bank, and to pass such other laws as may be requisite to put said bank into operation; but if a majority of the voters shall not vote for it, the same shall be considered rejected.

Mr. Andrews moved to lay said bill on the table.

And the question being taken on said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Read and Irvan, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|------------------------|--------------------|-----------------------|
| Mr. Speaker, (Porter.) | Alex. L. Davidson, | Thornton F. Marshall, |
| Landaff W. Andrews, | George Denny, | William H. McBrayer, |
| John B. Bruner, | Thomas S. Grundy, | John A. Prall, |
| Charles Chambers, | John L. Irvan, | James Simpson, |
| William S. Darnaby, | Samuel H. Jenkins, | Harrison Taylor—15. |

Those who voted in the negative, were—

| | | |
|----------------------|----------------------|--------------------|
| T. T. Alexander, | Robert E. Glenn, | L. H. Rousseau, |
| William T. Anthony, | Asa P. Grover, | Henry M. Rust, |
| Benjamin P. Cissell, | Samuel Haycraft, | Cyrenius Wait, |
| A. D. Cosby, | John M. Johnson, | E. Dudley Walker, |
| John F. Fisk, | Chas. D. Pennebaker, | C. J. Walton, |
| J. E. Gibson, | William B. Read, | W. C. Whitaker—20. |
| William C. Gillis, | Albert G. Rhea, | |

Mr. Johnson moved the following amendments to said bill, viz:

Fill blank in the 6th line of the first section, with "thirty."

Fill the blanks in the 24th line of the 3d section, with "Frankfort" and "1st of July."

Fill the blank in the 30th line of the 3d section, with "one million."

Fill the blanks in the fourth line of the fourth section, with "1st January" and "Frankfort."

Fill the blank in the 7th line of the 21st section, with "\$100,000."

Which were adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with, and the same having been engrossed,

The question was taken on the passage of said bill.

The yeas and nays being required thereon by Messrs. Andrews and Grover, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---------------------|------------------|------------------|
| William T. Anthony, | Robert E. Glenn, | Henry M. Rust, |
| A. D. Cosby, | Asa P. Grover, | Cyrenius Wait, |
| J. E. Gibson, | John M. Johnson, | C. J. Walton—11. |
| William C. Gillis, | William B. Read, | |

Those who voted in the negative, were—

| | | |
|---|----------------------------------|---|
| Mr. Speaker, (Porter,) T. T. Alexander, | Samuel E. DeHaven, George Denny, | William H. McBrayer, Chas. D. Pennebaker, |
| Landaff W. Andrews, | John F. Fisk, | John A. Prall, |
| John B. Bruner, | Thomas S. Grundy, | Albert G. Rhea, |
| Charles Chambers, | Samuel Haycraft, | James Simpson, |
| Benjamin P. Cissell, | John L. Irvan, | Harrison Taylor, |
| William S. Darnaby, | Samuel H. Jenkins, | W. C. Whitaker—23. |
| Alex. L. Davidson, | Thornton F. Marshall, | |

And so said bill was rejected.

The Senate then resumed the consideration of the resolution offered on yesterday by Mr. Chambers.

The yeas and nays being demanded on the adoption of said resolution by Messrs. Walton and Andrews, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|----------------------|--------------------|------------------|
| T. T. Alexander, | William C. Gillis, | John A. Prall, |
| W. T. Anthony, | Robert E. Glenn, | William B. Read, |
| Landaff W. Andrews, | Asa P. Grover, | L. H. Rousseau, |
| John B. Bruner, | Thomas S. Grundy, | James Simpson, |
| Charles Chambers, | Samuel Haycraft, | Harrison Taylor, |
| Benjamin P. Cissell, | John L. Irvan, | Cyrenius Wait, |

Samuel E. DeHaven, Thornton F. Marshall, E. Dudley Walker,
George Denny, W. H. McBrayer, C. J. Walton—26.
John F. Fisk, C. D. Pennebaker,

Those who voted in the negative, were—

Mr. Speaker, (Porter,) A. L. Davidson, Albert G. Rhea,
A. D. Cosby, J. E. Gibson, Henry M. Rust—8,
William S. Darnaby, John M. Johnson,

And so said resolution was adopted.

A message was received from the House of Representatives, announcing that they had passed bills of the following titles, viz:

An act for the benefit of the proprietors and lessee of Mammoth Cave.

An act to define the powers of clerks in certain cases.

An act for the benefit of James Morton, of Greenup county.

And that they had received official information from the Governor, that he had approved and signed sundry enrolled bills originating in the House of Representatives, of the following titles, viz:

An act to incorporate Lodge No. 81, I. O. O. F., of Louisville.

An act empowering the Owen county court to change a State road.

An act to repeal an act in relation to the collection of the railroad tax in McCracken county.

An act to incorporate the Licking River Mining and Manufacturing Company.

An act for the benefit of school district No. 38, in Meade county.

An act to amend an act incorporating the Munday's Landing and Harrodsburg turnpike road company.

An act to amend the charter of the Bryantsville and Cane Run turnpike road company.

An act to incorporate the Iron Moulders' Local Union, of Covington.

An act to authorize stockholders in turnpike roads in which the State holds stock to vote by proxy.

An act to incorporate the Beargrass Packing and Manufacturing Company.

An act to postpone the trial of civil causes at the April term, 1861, of the Bullitt, and March term, 1861, of the Carroll circuit court, and the March terms, 1861, of the Pulaski and Nelson, and the May term, 1861, of the Larue circuit courts.

An act further to amend chapter 86 of the Revised Statutes.

An act for the benefit of the late sheriffs of Greenup, Lawrence, and Carter counties.

An act to amend the penal laws in relation to certain duties of county court clerks.

An act for the benefit of school district No. 48, in Pulaski county.

An act in relation to the town of Harrodsburg.

An act for the benefit of Elizabeth McKee, of Greenup county.

An act for the benefit of Mrs. Mary Haviland.

An act for the benefit of W. T. Moren.

An act for the benefit of Wm. Magowan and J. V. Dewey.

An act to repeal an act, entitled "An act for the benefit of the Taylorsville and Mt. Eden turnpike road."

An act to legalize the acknowledgments of deeds taken before the late mayors of Newport.

An act for the benefit of Elizabeth L. Wisdom and Green Atwell.

An act to incorporate the Planters' Bank of Henderson.

An act authorizing the Sinking Fund commissioners to loan money to the State of Kentucky.

An act to repeal, in part, certain terms of the circuit court, the equity and criminal court of Logan, and the circuit courts of Todd counties, and for other purposes.

A message was received from the Governor, by the hands of Hon. T. B. Monroe, jr., Secretary of State, announcing that he had approved and signed sundry enrolled bills originating in the Senate, of the following titles, viz :

An act to repeal the spring term of the several courts in Metcalfe county.

An act to amend an act concerning the penitentiary, approved February 1st, 1858.

An act to amend the charter of the city of Louisville, approved March 24, 1851.

And the following communication, viz :

EXECUTIVE DEPARTMENT,
March 30th, 1861. }

Gentlemen of the Senate:

I nominate for your advice and consent, the following persons to be notaries public in the counties named, to-wit:

Thos. D. Tilford, for Henderson county.

Wm. C. Wood, for Jefferson county.

Geo. Washington McCawley, for Jefferson county.

J. F. Sewell, for Jefferson county.
John M. Rice, for Lawrence county.
J. H. Vivion, for Mercer county.
Jake Rice, for Pike county.

B. MAGOFFIN.

On motion of Mr. Andrews—

Ordered, That the Senate advise and consent to the nominations above made.

Under a suspension of the rules, the Senate took up from the orders of the day House bills of the following titles, viz:

An act for the benefit of James Morton, of Greenup county.

An act for the benefit of N. G. Stanley.

An act to incorporate the Newcastle Cornet Band.

An act for the benefit of school district No. 55, in Henry county.

Which were read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bills having been dispensed with,

Ordered, That said bills be read a third time.

The rule of the Senate, constitutional provision, and third reading of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills originating in the House of Representatives, of the following titles, were reported from the several committees, to which they had been referred, viz:

By Mr. Taylor, from the Committee on Internal Improvement—

An act to amend the charter of the Paris and Bethlehem turnpike road company.

An act to amend the charter of the Stanford and Lancaster turnpike road company.

By Mr. Grundy, from the Committee on Propositions and Grievances—

An act to amend the charter of the city of Lexington.

By Mr. Cissell, from the Committee on the Judiciary—

An act to confer additional jurisdiction in certain cases.

An act for the benefit of John W. Clay, late sheriff of Montgomery county.

An act for the benefit of Jonathan Riley.

An act to amend the 6th and 7th sections of chapter 88 of the Revised Statutes, entitled "Schools and Seminaries."

An act for the benefit of W. R. Maupin, justice of the peace of Montgomery county.

An act for the benefit of the mechanics of Daviess county.

With an amendment to the said last named bill.

Which was adopted.

By Mr. Alexander, from the Committee on County Courts—

An act fixing the time of holding the Magoffin county court.

An act for the benefit of G. S. Jones, of Marshall county.

By Mr. Walton, from the Committee on Education—

An act to amend the act in relation to the seminary lands of Lewis county.

Ordered, That said bills be read a third time.

The rule of the Senate, constitutional provision, and third reading of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The Senate then, according to special order, resumed the consideration of the resolutions concerning the navigation of the Mississippi, offered by Mr. Rousseau, and the substitute offered by Mr. Cissell.

With the consent of the Senate, Mr. Rousseau withdrew the resolutions heretofore offered by him, and in lieu thereof read and laid upon the table the following, viz :

WHEREAS, This General Assembly has learned that by the action of a Congress of certain States, held in Montgomery, Alabama, in February last, the free navigation of the Mississippi river is obstructed, and the right of those States is asserted to search the vessels and tax the commerce on that river; therefore, be it

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That the right of the people of Kentucky to the free, unobstructed navigation of that river and its tributaries is absolute and indisputable; and being of vital importance to them, Kentucky can never consent, under any circumstances, that it shall be illegally interfered with, or conceded to any power or person whatever.

2. *Resolved*, That this General Assembly has heard of the action of the Congress with profound regret and the most serious inquietude, and feels it its duty to the good people of Kentucky, and to those States, at once to say, in all kindness, that, without a total disregard of the interests, the honor, and dignity of Kentucky, she can never, under any circumstances, concede the right to search her vessels, or illegally tax her commerce on said river or its tributaries, to any person, power, or State; and that she earnestly trusts that the action of said Con-

gress may be revised and revoked, that Kentucky may not be called upon to surrender a right so essential to the interests of her people as is the right to the free, unobstructed navigation of said river and its tributaries.

3. *Resolved*, That the attention of our sister States in the valley of the Mississippi, together with Virginia and Pennsylvania, be called to the subject of these resolutions, and to that end the Governor is requested to forward copies of the same to the Executives of those States.

Mr. Cissell offered, as a substitute for the above, the resolutions following, viz :

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That, in the opinion of this General Assembly, it is of the most vital importance to the commercial interest of the people of Kentucky that the navigation of the Mississippi river and its tributaries should continue free and unmolested, and she protests against any attempt to obstruct or prohibit the free navigation thereof; and she believes that more can be done to continue the enjoyment of such right by conciliation, and the cultivation of friendly relations with every portion of our common country, than by threats or any attempt at coercion ; and this General Assembly is gratified to learn that the convention of Louisiana, by unanimous vote, has recognized that right to all friendly States.

2. *Resolved*, That this General Assembly has learned that certain of the free States have passed laws declaring the absolute freedom of negro slaves upon touching their soil; and others have passed laws virtually denying to the citizens of the slave States the right of transit through such State with their slaves, as well as laws denying to citizens of slave States the use of jails, in cases of arrest under the fugitive slave law; and that the Governor of Ohio, in contravention to the Federal Constitution, and the laws passed in pursuance thereof, as expounded recently by the Supreme Court of the United States, has refused, and still refuses, to surrender a fugitive from justice upon requisition by the Executive of this State; and that a party is organized in the free States to resist, by violence, the execution of federal laws; and these "rights being of vital importance to the people of Kentucky, and the people of her sister slave States, Kentucky feels it her duty to herself and her sister Southern States, at the earliest day to make this, her most solemn protest, against any" and all such unjust and iniquitous legislation and conduct on the part of such free States and the Executive of Ohio.

AND WHEREAS, We have received information that the Federal Government contemplates sending additional troops to the Newport barracks, in this State : therefore,

1. *Resolved*, That Kentucky earnestly and solemnly protests against such action on the part of the Federal Government, as tending to defeat efforts for peaceable adjustment, and still further to complicate existing difficulties, and will be regarded by her as an evidence of hostility to the peace and quiet of our citizens, and as intended to destroy and subvert the liberties of our people.

2. *Resolved*, That the Governor be directed to communicate the foregoing resolutions to the Executives of the different States, and to the President of the United States.

Under a suspension of the rules of the Senate, said resolutions and amendment were taken up.

Mr. Cissell demanded a vote upon each resolution separately of the amendment offered by him.

Ordered, That the Public Printer forthwith print 150 copies of the resolutions offered by Mr. Rousseau, for the use of the members of the General Assembly, and that the further consideration of said resolutions and amendment be postponed until Monday morning next, at 11 o'clock.

On motion of Mr. Darnaby,

Leave of absence was granted to Messrs. Read, DeHaven, and McBrayer.

Mr. Johnson, from the Committee on Banks, reported a bill of the following title, viz:

A bill to amend the charter of the banks of issue.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bill having been dispensed with,

Mr. Taylor moved to strike out the first section of said bill.

Mr. Johnson offered the following substitute for the bill, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the several banks of issue in this Commonwealth, not already having that privilege, are hereby authorized and empowered to issue and put in circulation notes of a less denomination than five dollars, but not less than one dollar, under the same restrictions, rules, and regulations governing the issue of other notes, prescribed by their respective charters.

§ 2. The Legislature hereby retains the power to repeal this act at pleasure.

§ 3. This act shall take effect from and after its passage.

And the question being taken on the adoption of said substitute, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Johnson and Alexander, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---------------------|------------------|----------------------|
| Landaff W. Andrews, | Robert E. Glenn, | Chas. D. Pennebaker, |
| John B. Bruner, | John L. Irvan, | James Simpson, |

Benjamin P. Cissell, John M. Johnson, Harrison Taylor,
 George Denny, Thornton F. Marshall, W. C. Whitaker—13.
 William C. Gillis,

Those who voted in the negative, were—

| | |
|--------------------------------------|-------------------|
| Mr. Speaker, (Porter,) J. E. Gibson, | Henry M. Rust, |
| T. T. Alexander, Asa P. Grover, | E. Dudley Walker, |
| John F. Fisk, John A. Prall, | C. J. Walton—9. |

Messrs. Walton and Alexander moved to lay said bill, as amended, on the table.

The yeas and nays being required thereon by Messrs. Walton and Alexander, were as follows, viz:

Those who voted in the affirmative, were—

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|---|--------------------|
| Mr. Speaker, (Porter,) William C. Gillis, | Samuel H. Jenkins, |
| T. T. Alexander, Asa P. Grover, | E. Dudley Walker, |
| John F. Fisk, Thomas S. Grundy, | C. J. Walton—11. |
| J. E. Gibson, John L. Irvan, | |

Those who voted in the negative, were—

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|--|--------------------|
| William T. Anthony, George Denny, | L. H. Rousseau, |
| Landaff W. Andrews, Samuel Haycraft, | Henry M. Rust, |
| John B. Bruner, John M. Johnson, | James Simpson, |
| Benjamin P. Cissell, Thornton F. Marshall, | Harrison Taylor, |
| A. D. Cosby, Chas. D. Pennebaker, | Cyrenius Wait, |
| Alex. L. Davidson, Albert G. Rhea, | W. C. Whitaker—18. |

And so the Senate refused to lay said bill on the table.

Mr. Pennebaker moved to adjourn.

The yeas and nays being demanded on said motion by Messrs. Andrews and Rust, were as follows, viz:

Those who voted in the affirmative, were—

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| Asa P. Grover, C. D. Pennebaker, | Henry M. Rust, |
| Samuel H. Jenkins, John A. Prall, | W. C. Whitaker—6. |

Those who voted in the negative, were—

| | |
|--------------------------------------|-------------------|
| Mr. Speaker, (Porter,) John F. Fisk, | James Simpson, |
| T. T. Alexander, William C. Gillis, | Harrison Taylor, |
| Landaff W. Andrews, John L. Irvan, | E. Dudley Walker, |
| John B. Bruner, John M. Johnson, | C. J. Walton—13. |
| George Denny, | |

And so the Senate refused to adjourn.

The question was then taken on ordering said bill to be engrossed and read a third time.

The yeas and nays being required thereon by Messrs. Prall and Johnson, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|----------------------|-----------------------|--------------------|
| Landaff W. Andrews, | Robert E. Glenn, | Henry M. Rust, |
| John B. Bruner, | John L. Irvan, | James Simpson, |
| Benjamin P. Cissell, | John M. Johnson, | Harrison Taylor, |
| George Denny, | Thornton F. Marshall, | W. C. Whitaker—14. |
| William C. Gillis, | C. D. Pennebaker, | |

Those who voted in the negative, were—

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|--------------------------------------|-------------------|
| Mr. Speaker, (Porter,) J. E. Gibson, | John A. Prall, |
| T. T. Alexander, Asa P. Grover, | E. Dudley Walker, |
| Charles Chambers, Thomas S. Grundy, | C. J. Walton—10. |
| John F. Fisk, | |

And so said bill was ordered to be engrossed and read a third time.

The Senate refused to dispense with the third reading of said bill.

Ordered, That said bill be read the third time on Monday, April 1st, at 12 o'clock, M.

On motion of Mr. Gillis,

Leave was granted to bring in a bill creating the office of county treasurer of Whitley county.

Mr. Johnson, from the Committee on Banks, reported a House bill of the following title, viz :

An act to incorporate the Mayfield Insurance and Trust Company.

The rule of the Senate, constitutional provision, and third reading of said bill being dispensed with,

The question was taken on its passage.

The yeas and nays being required thereon by Messrs. Prall and Irvan, were as follows, viz :

Those who voted in the affirmative, were—

| | | |
|--------------------|------------------|---------------------|
| George Denny, | John M. Johnson, | C. D. Pennebaker—4, |
| William C. Gillis, | | |

Those who voted in the negative, were—

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|---|--------------------|
| Mr. Speaker, (Porter,) Robert E. Glenn, | John A. Prall, |
| T. T. Alexander, Asa P. Grover, | Albert G. Rhea. |
| Landaff W. Andrews, Thomas S. Grundy, | James Simpson, |
| John B. Bruner, Samuel Haycraft, | Harrison Taylor, |
| Charles Chambers, John L. Irvan, | E. Dudley Walker, |
| Benjamin P. Cissell, Samuel H. Jenkins, | C. J. Walton, |
| John F. Fisk, Thornton F. Marshall, | W. C. Whitaker—22. |
| J. E. Gibson, | |

Mr. Johnson, from the Committee on Banks, asked to be discharged from the further consideration of a petition of sundry citizens of Barren county, praying the establishment of a State Bank.

And said committee were so discharged.

The select committee on eleemosynary institutions were granted permission to report on Monday next, at 9 $\frac{1}{2}$ o'clock, A. M.

Mr. Prall offered the following resolution, viz:

Resolved by the Senate of the Commonwealth of Kentucky, That a committee of three Senators, (appointed by the Speaker,) be, and they are hereby, appointed, to act in conjunction with the committee appointed by the House of Representatives, to wait upon the Hon. John C. Breckinridge, and request him to address this General Assembly on the subject of our national affairs, at as early a day during its present session as may be convenient to him; and that said committee report to the Senate the result of the interview, and make such arrangements as may be necessary to carry the above resolution into effect.

Mr. Denny offered the following amendment, viz:

After the words "John C. Breckinridge," add "L. W. Powell."

Which was adopted.

Mr. Alexander offered the following amendment, viz:

And also "our late Representatives in Congress."

The yeas and nays being required on the adoption of said amendment by Messrs. Cissell and Grover, were as follows, viz:

Those who voted in the affirmative, were—

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| T. T. Alexander, | John M. Johnson, | C. J. Walton—4. |
| John B. Bruner, | | |

Those who voted in the negative, were—

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|---|----------------------|
| Mr. Speaker, (Porter,) Asa P. Grover, | John A. Prall, |
| Landaff W. Andrews, Thomas S. Grundy, | Albert G. Rhea, |
| Benjamin P. Cissell, Samuel Haycraft, | Henry M. Rust, |
| George Denny, John L. Irvan, | James Simpson, |
| John F. Fisk, Samuel H. Jenkins, | Harrison Taylor, |
| J. E. Gibson, Thornton F. Marshall, | Cyrenius Wait, |
| William C. Gillis, Chas. D. Pennebaker, | E. Dudley Walker—22. |
| Robert E. Glenn, | |

And so said amendment was rejected.

The question was then taken on the adoption of said resolution, as amended, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Alexander and Pennebaker, were as follows, viz:

Those who voted in the affirmative, were—

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|---|----------------------|
| Mr. Speaker, (Porter,) Robert E. Glenn, | John M. Johnson, |
| Benjamin P. Cissell, Asa P. Grover, | John A. Prall, |
| William S. Darnaby, Thomas S. Grundy, | Albert G. Rhea, |
| John F. Fisk, John L. Irvan, | Henry M. Rust, |
| J. E. Gibson, Samuel H. Jenkins, | E. Dudley Walker—16. |

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Those who voted in the negative, were—

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| T. T. Alexander, | Samuel Haycraft, | Harrison Taylor, |
| Landaff W. Andrews, | Thornton F. Marshall, | Cyrenius Wait, |
| John B. Bruner, | C. D. Pennebaker, | C. J. Walton, |
| George Denny, | James Simpson, | W. C. Whitaker—13. |
| William C. Gillis, | | |

And so said resolution was adopted.

Mr. Whitaker, from the Committee on Circuit Courts, asked to be discharged from the further consideration of the petition of J. W. McGlasson, praying the passage of an act increasing the allowance to Polly Jessee and Wm. C. McGlasson, of Adair county.

And the question being taken, "Shall the committee be discharged?" it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Alexander and Rhea, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|----------------------|--------------------|--------------------|
| Landaff W. Andrews, | William C. Gillis, | J. M. Johnson, |
| John B. Bruner, | T. S. Grundy, | C. D. Pennebaker, |
| Charles Chambers, | Samuel Haycraft, | James Simpson, |
| Benjamin P. Cissell, | John L. Irvin, | Cyrenius Wait, |
| John F. Fisk, | S. H. Jenkins, | W. C. Whitaker—16. |
| J. E. Gibson, | | |

Those who voted in the negative, were—

| | | |
|------------------|------------------|-----------------|
| T. T. Alexander, | Robert E. Glenn, | C. J. Walton—5. |
| George Denny, | Albert G. Rhea, | |

And so said committee was discharged.

Mr. Irvin offered the following resolution, viz:

Resolved, That the Public Printer be directed to print all general laws passed at the present extra session; have them paper bound, and send, as early as practicable, a copy thereof by mail, to each Senator and Representative, to each circuit judge, and to each clerk of the various courts of this Commonwealth, and the several county judges.

Which was adopted.

Mr. Gillis, from the Committee on Enrollments, reported that they had examined sundry Senate bills, of the following titles, viz:

An act authorizing the transcript of certain records, and making indexes in the county court clerk's office of Rockcastle.

An act to amend the charter of Uniontown.

An act to amend the charter of the Galt House Company.

An act to amend the charter of the Kentucky Mechanics' Institute of Louisville.

An act to incorporate Clarke Lodge, No. 51, A. Y. M., of Louisville.

An act for the benefit of the Christian church at Parker's stand.

An act to amend the charter of the town of Hammondsville, in Hart county.

An act for the benefit of Thomas Landrum and Henry Griffith, late sheriffs of McLean county.

An act to authorize the county judge of Garrard county to change the voting place in district No. 1, in Garrard county.

An act to amend the charter of the Falls City Marine Institute.

An act for the benefit of James D. Ballard.

An act to change the time of holding the Larue county court.

An act incorporating Roaring Spring, in Trigg county.

Also enrolled bills of the House of Representatives of the following titles, viz:

An act for the benefit of N. G. Stanley.

An act to amend the city charter of Lexington.

An act to amend the charters of the towns of New Haven and Bloomfield.

An act to amend the charter of the Paris and Bethlehem turnpike road company.

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto, and the same were returned to the committee, to be by them presented to the Governor for his approval and signature.

And then the Senate adjourned.

MONDAY, APRIL 1, 1861.

The Speaker, Hon. T. P. Porter, being compelled to return home, called the Hon. Harrison Taylor, Senator from Mason, to the chair.

Mr. Andrews offered the following resolution, viz:

Resolved, That the Sergeant-at-Arms of the Senate be required to call upon all the members of the Senate for the purpose of ascertaining the place of birth, the profession, age, and the address of each

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Senator, and report the same to the Clerk of the Senate, to be entered upon the journal of the Senate.

Which was adopted.

Bills of the following titles were reported, viz :

By Mr. Pennebaker, from the Committee on Revised Statutes—

A bill to amend the charter of Pitt's Point.

A bill concerning billiard tables.

A bill to change the lines of magistrates' and election districts in Adair county.

By Mr. Walton, from the Committee on Public Buildings—

A bill concerning the town of Woodsonville.

By Mr. Grundy, from the Committee on Propositions and Grievances—

A bill to provide for an election in Marion county.

Which were read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bills having been dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of said bills being dispensed with, and the same having been engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the House of Representatives, announcing that they had passed bills originating in the Senate of the following titles, viz :

An act for the benefit of the bank of Louisville.

An act for the benefit of the sheriff of Grayson county.

An act to amend the charter of the town of Glasgow.

Mr. Fisk, from the Committee on Revised Statutes reported a bill, entitled "A bill to regulate the fees of sheriffs in certain cases."

Said bill reads as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sheriffs of the several counties of this Commonwealth shall receive the following fees : For making a deed for real estate sold under execution, to be paid by the grantee in such deed, one dollar and fifty cents ; for executing an order of delivery of personal property, one dollar ; for summoning jury in case of lunacy, one dollar ; for summoning a jury in the quarterly or county court, seventy-five

cents; for making proclamation of an election, to be paid out of the county levy, one dollar; for notifying each officer of election, to be paid out of the county levy, twenty-five cents; for arresting a lunatic, to be allowed and paid as in cases of felony, one dollar; for executing a *capias profine*, or bench warrant, in cases of misdemeanor, the same fee in all respects as in cases of arrest for felony, which fees shall be paid out of the county levy of the county from which the process issued.

§ 2. That no sheriff shall be liable for a failure to execute any process directed to him from another county, unless the fee for executing the same shall be sent to him with the process, or deposited with the clerk of the court from which the same issued, which clerk shall indorse on the process that the fee has been deposited with him; but this shall not apply to executions or orders of sale, nor to any case in which the Commonwealth or any county is liable for the fees.

§ 3. That this act shall take effect from and after its passage.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bill having been dispensed with,

Ordered, That said bill be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with, and the same having been engrossed,

The question was taken on its passage.

The yeas and nays being required thereon by Messrs. Fisk and Darnaby, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|----------------------|-----------------------|----------------------|
| William T. Anthony, | J. E. Gibson, | Chas. D. Pennebaker, |
| Landaff W. Andrews, | William C. Gillis, | Henry M. Rust, |
| Charles Chambers, | Thomas S. Grundy, | James Simpson, |
| Benjamin P. Cissell, | Samuel Haycraft, | Harrison Taylor, |
| William S. Darnaby, | Samuel H. Jenkins, | Cyrenius Wait, |
| Alex. L. Davidson, | Thornton F. Marshall, | W. C. Whitaker—19. |
| John F. Fisk, | | |

Those who voted in the negative, were—

| | | |
|------------------|------------------|-------------------|
| T. T. Alexander, | Robert E. Glenn, | Albert G. Rhea, |
| John B. Bruner, | John L. Irvan, | E. Dudley Walker, |
| George Denny, | John M. Johnson, | C. J. Walton—9. |

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Andrews, on behalf of one of the members of the Committee on the Codes of Practice, reported a bill, entitled "A bill to amend the Civil Code of Practice."

APRIL 1.]

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Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That an ordinary action shall not be instituted as an appearance to any regular or special term, for the trial of equity or criminal causes exclusively, in the circuit courts of this Commonwealth, nor shall any final judgment be rendered at such term in any action which, according to the fifth section of title one, of the Code of Practice in civil cases, should be prosecuted by ordinary proceedings: *Provided,* the provisions of this act shall not apply to the county of Bourbon.

§ 2. This act shall take effect from its passage.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with,

Ordered, That said bill be engrossed and read a third time.

The rule of the Senate, constitutional provision, and second reading of said bill having been dispensed with, and the same being engrossed,

Messrs. Prall and Rust moved to reconsider the vote by which the third reading of said bill was dispensed with.

The yeas and nays being demanded on said motion by Messrs. Andrews and Denny, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|--------------------|-------------------|--------------------|
| John F. Fisk, | C. D. Pennebaker, | Harrison Taylor, |
| William C. Gillis, | John A. Prall, | Cyrenius Wait, |
| Robert E. Glenn, | Albert G. Rhea, | E. Dudley Walker, |
| Thomas S. Grundy, | L. H. Rousseau, | C. J. Walton, |
| John L. Irvin, | Henry M. Rust, | W. C. Whitaker—17. |
| Samuel H. Jenkins, | James Simpson, | |

Those who voted in the negative, were—

| | | |
|---------------------|----------------------|--------------------|
| T. T. Alexander, | Benjamin P. Cissell, | J. E. Gibson, |
| W. T. Anthony, | A. D. Cosby, | Samuel Haycraft, |
| Landaff W. Andrews, | A. L. Davidson, | John M. Johnson, |
| John B. Bruner, | George Denny, | T. F. Marshall—13. |
| Charles Chambers, | | |

And so said vote was reconsidered.

Ordered, That the vote by which the Senate ordered said bill to be read a third time be reconsidered.

Mr. Prall moved to amend said bill by forbidding the application of the provisions thereof to the county of Bourbon.

Which was adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with, and the same having been engrossed,

The question was taken on its passage.

The yeas and nays being required thereon by Messrs. Fisk and Irvan, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---------------------|-----------------------|--------------------|
| T. T. Alexander, | J. E. Gibson, | Albert G. Rhea, |
| Landaff W. Andrews, | Thomas S. Grundy, | James Simpson, |
| John B. Bruner, | Samuel Haycraft, | Harrison Taylor, |
| Charles Chambers, | John L. Irvan, | Cyrenius Wait, |
| Alex. L. Davidson, | Samuel H. Jenkins, | E. Dudley Walker, |
| George Denny, | John M. Johnson, | W. C. Whitaker—20. |
| John F. Fisk, | Thornton F. Marshall, | |

Those who voted in the negative, were—

| | | |
|----------------------|----------------------|------------------|
| William T. Anthony, | William C. Gillis, | John A. Prall, |
| Benjamin P. Cissell, | Robert E. Glenn, | L. H. Rousseau, |
| A. D. Cosby, | Chas. D. Pennebaker, | C. J. Walton—10. |
| William S. Darnaby, | | |

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

According to special order, the Senate then took up for consideration the report ordered to be made by the select committee of the Lunatic Asylum, situated at Hopkinsville.

Ordered, That said committee be allowed the further time until tomorrow morning, at 10 o'clock, A. M.

A message was received from the Governor, by the hands of the Hon. T. B. Monroe, jr. Secretary of State, announcing that he had approved and signed sundry enrolled bills originating in the Senate of the following titles, viz:

An act for the benefit of Wm. J. Shrout.

An act to change school district No 9, in Madison county.

An act to establish an additional magistrates' district and election precinct in Daviess county.

An act for the benefit of James M. Nesbitt.

An act to change the line between the Bethel and Wyoming precincts, in Bath county.

An act for the benefit of the Presbyterian church at Paris.

An act for the benefit of school district No. 36, in Livingston county.

An act for the benefit of S. E. G. Cole, of Todd county.

An act giving further time to ministers of the gospel and other persons to return marriage license.

An act for the benefit of Isaac E. Johnson and James A. Hawkins.

An act to amend the charter of the Louisville and Nashville railroad company.

An act concerning the Wilderness turnpike road.

Mr. Prall, from the committee appointed to wait upon the Hon. John C. Breckinridge, in conjunction with such a committee as was appointed by the House of Representatives, reported that the committee had discharged its duties, and laid before the Senate the following communication, viz :

LEXINGTON, KY., March 31, 1861.

Messrs. J. A. Prall, John F. Fisk, and A. G. Rhea, Committee, Frankfort:

GENTLEMEN : In answer to your letter of the 30th inst., informing me that I have been invited by a resolution of the Senate to address the General Assembly "upon the subject of our national affairs," I beg to express my appreciation of this honor, proceeding from so distinguished a source, and, if the time be suitable, to say that I accept the invitation for Tuesday evening, the 2d of April.

Very truly, your friend and obedient servant,

JOHN C. BRECKINRIDGE.

Ordered, That Messrs. Prall, Fisk, and Rhea be instructed to make such arrangements as may be necessary to carry out the object for which the invitation was extended to the Hon. John C. Breckinridge.

Mr. Cissell read and laid upon the table the following joint resolution, viz :

Resolved by the General Assembly of the Commonwealth of Kentucky, That the General Assembly adjourn *sine die* on Wednesday, the 3d day of April, 1861, at 12 o'clock, M.

According to special order, the Senate resumed the consideration of the resolutions concerning the navigation of the Mississippi.

Mr. Cissell, with the permission of the Senate, withdrew the substitute offered by him on a former day, and offered the following, viz :

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That, in the opinion of this General Assembly, it is of the most vital importance to the commercial interest of the people of Kentucky that the navigation of the Mississippi river and its tributaries should continue free and unmolested, and she protests against any attempt to obstruct or prohibit the free navigation thereof; and she believes that more can be done to continue the enjoyment of such right by conciliation, and the cultivation of friendly relations with every portion of our common country, than by threats or any attempt at coercion ; and this General

Assembly is gratified to learn that the convention of Louisiana, by unanimous vote, has recognized that right to all friendly States.

2. *Resolved*, That this General Assembly has learned that certain of the free States have passed laws declaring the absolute freedom of negro slaves upon touching their soil; and others have passed laws virtually denying to the citizens of the slave States the right of transit through such States, with their slaves, as well as laws denying to citizens of slave States the use of jails, in cases of arrest under the fugitive slave law; and that the Governor of Ohio, in contravention to the Federal Constitution, and the laws passed in pursuance thereof, as expounded recently by the Supreme Court of the United States, has refused, and still refuses, to surrender a fugitive from justice upon requisition by the Executive of this State; and that a party is organized in the free States to resist, by violence, the execution of federal laws; and these "rights being of vital importance to the people of Kentucky, and the people of her sister slave States, Kentucky feels it her duty to herself and her sister Southern States, at the earliest day to make this, her most solemn protest, against any" and all such unjust and iniquitous legislation and conduct on the part of such free States and the Executive of Ohio.

AND WHEREAS, We have received information that the Federal Government contemplates sending additional troops to the Newport barracks, in this State: therefore,

1. *Resolved*, That Kentucky earnestly and solemnly protests against such action on the part of the Federal Government, as tending to defeat efforts for peaceable adjustment, and still further to complicate existing difficulties, and will be regarded by her as an evidence of hostility to the peace and quiet of our citizens, and as intended to destroy and subvert the liberties of our people.

2. *Resolved*, That the Governor be directed to communicate the foregoing resolutions to the Executives of the different States, and to the President of the United States.

Ordered, That the further consideration of said resolutions and substitute be postponed until to-morrow, at 10 $\frac{1}{2}$ o'clock, A. M.

According to special order, the Senate resumed the consideration of a bill, entitled "A bill to amend the charters of the several banks of issue in this Commonwealth," viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the several banks of issue in this Commonwealth, not already having that privilege, are hereby authorized and empowered to issue and put in circulation notes of a less denomination than five dollars, but not less than one dollar, under the same restrictions, rules, and regulations governing the issue of other notes, prescribed by their respective charters.

§ 2. The Legislature hereby retains the power to repeal this act at pleasure.

§ 3. This act shall take effect from and after its passage.

Said bill was read a third time.

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The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Fisk and Irvan, were as follows, viz :

Those who voted in the affirmative, were—

| | | |
|----------------------|-----------------------|--------------------|
| William T. Anthony, | Robert E. Glenn, | L. H. Rousseau, |
| Landaff W. Andrews, | Samuel Haycraft, | Henry M. Rust, |
| John B. Bruner, | John L. Irvan, | James Simpson, |
| Benjamin P. Cissell, | John M. Johnson, | Harrison Taylor, |
| A. D. Cosby, | Thornton F. Marshall, | Cyrenius Wait, |
| Alex. L. Davidson, | C. D. Pennebaker, | W. C. Whitaker—19. |
| George Denny, | | |

Those who voted in the negative, were—

| | | |
|---------------------|--------------------|-------------------|
| T. T. Alexander, | J. E. Gibson, | John A. Prall, |
| Charles Chambers, | William C. Gillis, | Albert G. Rhea. |
| William S. Darnaby, | Thomas S. Grundy, | E. Dudley Walker, |
| John F. Fisk, | Samuel H. Jenkins, | C. J. Walton—12 |

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate then took up for consideration bills of the following titles, originating in the Senate, to which the House of Representatives had proposed amendments, viz :

An act to authorize the jailer of Hardin county to appoint a deputy.

Ordered, That the Senate concur in the House amendment, with an amendment to said amendment.

An act to incorporate the city of Paris.

The first amendment proposed by the House is as follows, viz :

"But said court shall have no power to grant certificates of naturalization to unnaturalized foreigners."

The question was then taken on concurring in said amendment, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Fisk and Darnaby, were as follows, viz :

Those who voted in the affirmative, were—

| | | |
|---------------------|------------------|---------------------|
| T. T. Alexander, | George Denny, | C. D. Pennebaker—5. |
| Landaff W. Andrews, | Samuel Haycraft, | |

Those who voted in the negative, were—

| | | |
|----------------------|--------------------|------------------|
| William T. Anthony, | J. E. Gibson, | John A. Prall, |
| John B. Bruner, | William C. Gillis, | Albert G. Rhea, |
| Charles Chambers, | Robert E. Glenn, | Henry M. Rust, |
| Benjamin P. Cissell, | Thomas S. Grundy, | Harrison Taylor, |
| A. D. Cosby, | John L. Irvan, | Cyrenius Wait, |

William S. Darnaby, Samuel H. Jenkins, E. Dudley Walker,
Alex. L. Davidson, John M. Johnson, C. J. Walton;
John F. Fisk, Thornton F. Marshall, W. C. Whitaker—24.

And so the Senate refused to concur in said amendment.

Ordered, That the Senate concur in the second amendment proposed by the House of Representatives.

An act to define the southern tax limits of the city of Louisville.

Ordered, That the Senate concur in the amendment proposed by the House of Representatives to said bill.

Under a suspension of the rule of the Senate, Mr. Pennebaker read and laid upon the table the following joint resolution, viz :

WHEREAS, The school laws of this State have become confused and complicated, and many abuses have, by carelessness or otherwise, crept into the system, which have to be remedied by special legislation; that much injustice is practiced under warrant of law, growing out of the difference between the scholars reported by the assessors and county commissioners, and many counties, under the present laws, receive double pay for the difference in reports as aforesaid; wherefore, be it

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Superintendent of Public Instruction be, and he is hereby, authorized and directed to digest the school laws of this State, and to make such suggestions as may be necessary to carry the system into effect more perfectly; and to report some remedy against the great amount of special legislation on that subject, and report at the next session of this General Assembly.

The rules were again suspended, and said resolution was taken up, twice read, and concurred in.

The following report was received from the House of Representatives, by the hands of Mr. Hitt, viz :

I am instructed by the House of Representatives to inform the Senate that they have agreed to receive the Hon. Jno. C. Breckinridge on to-morrow, at 11 o'clock, A. M., at which time he will address both Houses in joint session. They respectfully ask the concurrence of the Senate.

Ordered, That the Senate will, on to-morrow, at 11 o'clock, A. M., proceed to the House of Representatives, in accordance with the above invitation.

A message was received from the House of Representatives, announcing that they had refused to concur in the amendments proposed by the Senate to a House bill of the following title, viz :

An act to legalize the conveyance made to R. S. C. Alexander, for lands on the waters of Green river.

Said bill was taken up, and

Ordered, That the Senate adheres to its amendment, and that Messrs. Cissell and Fisk be appointed a committee of conference, and instructed to ask the appointment of a similar committee on the part of the House of Representatives.

A message was received from the House of Representatives, announcing that they had passed resolutions upon the following subjects, viz:

Resolutions expressing disapprobation of the course of Ohio in reference to the rendition of a fugitive.

Resolutions requesting the withdrawal of federal troops from the seceded States.

The Senate then, under the general order, resumed the consideration of bills originating in the House of Representatives, of the following titles, viz:

An act to carry into effect certain provisions of an act for the better organization of the militia.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bill having been dispensed with,

Mr. Andrews moved to lay said bill on the table.

The yeas and nays being required thereon by Messrs. Andrews and Walton, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---------------------|-----------------------|------------------|
| T. T. Alexander, | George Denny, | Harrison Taylor, |
| Landaff W. Andrews, | William C. Gillis, | Cyrenius Wait, |
| John B. Bruner, | Thornton F. Marshall, | C. J. Walton—11. |
| A. D. Cosby, | James Simpson, | |

Those who voted in the negative, were—

| | | |
|----------------------|-------------------|----------------------|
| William T. Anthony, | J. E. Gibson, | Chas. D. Pennebaker, |
| Charles Chambers, | Thomas S. Grundy, | Albert G. Rhea, |
| Benjamin P. Cissell, | Samuel Haycraft, | L. H. Rousseau, |
| William S. Darnaby, | John L. Irvan, | Henry M. Rust, |
| Alex. L. Davidson, | John M. Johnson, | W. C. Whitaker—16. |
| John F. Fisk, | | |

And so the Senate refused to lay said bill on the table.

Ordered, That said bill be referred to the Committee on Military Affairs.

An act for the benefit of George F. Rabb, of McCracken county.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bill being dispensed with,

Ordered, That said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with,

The question was taken on the passage of said bill.

The yeas and nays being required thereon by Messrs. Whitaker and Andrews, were as follows, viz:

Those who voted in the affirmative, were—

Benjamin P. Cissell, Thomas S. Grundy, Henry M. Rust—5.
J. E. Gibson, John M. Johnson,

Those who voted in the negative, were—

| | | |
|---------------------|-----------------------|--------------------|
| T. T. Alexander, | William C. Gillis, | L. H. Rousseau, |
| Landaff W. Andrews, | Samuel Haycraft, | James Simpson, |
| John B. Bruner, | Samuel H. Jenkins, | Harrison Taylor, |
| Charles Chambers, | Thornton F. Marshall, | Cyrenius Wait, |
| A. D. Cosby, | Chas. D. Pennebaker, | C. J. Walton, |
| George Denny, | Albert G. Rhea, | W. C. Whitaker—19. |
| John F. Fisk, | | |

And so said bill was rejected.

1. An act declaring Eagle creek a navigable stream.
2. An act for the benefit of A. G. Williamson, of Pendleton county.
3. An act creating an additional justices' district and voting place in Floyd county.
4. An act for the benefit of A. C. Boarman, late sheriff of Breathitt county.
5. An act concerning the town of West Liberty, in Morgan county
6. An act to authorize Wm. Ratcliffe, a constable of Pike county, to appoint a deputy.
7. An act to repeal an act to establish an additional voting precinct in Carter county.
8. An act to authorize the Georgetown and Long Lick turnpike road company to erect a toll-gate.
9. An act for the benefit of the Shelbyville and Westport turnpike road company.
10. An act to amend the charter of the town of Consolation, in Spencer county.
11. An act to close a certain alley in the town of Campbellsville.

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12. An act to amend an act incorporating the Lexington and Danville railroad.
 13. An act to repeal in part an act requiring the surveyors in the counties of Logan and Todd to keep their offices at the county seat.
 14. An act to incorporate the town of Linton, in Trigg county.
 15. An act to amend an act to incorporate the town of Providence.
 16. An act for the benefit of Martha A. Corbin.
 17. An act to aid in the construction of the Lexington and Southern railroad company.
 18. An act to amend an act, entitled "An act to prevent the wanton destruction of fish in Green river and its tributaries."
 19. An act for the benefit of the trustees of district No. 51, Washington county.
 20. An act authorizing trustees of common school districts in Whitley county to levy and collect a tax for building and repairing school-houses.
 21. An act in relation to the circuit, quarterly, and justices' courts in Whitley county.
 22. An act providing for the election of school commissioners in Whitley county.
 23. An act for the benefit of the Versailles Female Academy.
 24. An act to incorporate the Harmonia Benevolent Society of Louisville.
 25. An act to amend the charter of the Richmond and Tate's Creek turnpike road company.
 26. An act for the benefit of common school district No. 55, in Allen county.
 27. An act for the benefit of the Boone county court.
 28. An act changing a voting district in Fleming county.
 29. An act to authorize the county court of Barren county to change a State road.
 30. An act to change the county lines of Barren and Monroe.
 31. An act to incorporate Loving Lodge, No. 323, of Free and Accepted Masons.
 32. An act to amend the charter of the town of Edmonton, in Metcalfe county.
 33. An act to amend the charter of Hopewell, Bethlehem, and Clintonville turnpike road company.
 34. An act to amend the charter of the town of Danville.

35. An act to regulate assessments in Bullitt county.
36. An act to alter the line of the Gradyville voting district in Adair county.
37. An act to amend the road law of Campbell county.
38. An act to incorporate the German Catholic St. Martin's Benevolent Society of Newport.
39. An act to provide an additional voting precinct in Campbell county.
40. An act to amend the charter of the city of Newport.
41. An act relating to the courts held in the city of Newport.
42. An act to amend and reduce into one the several acts relating to the town of Stanford.
43. An act to incorporate Norma Grove, No. 2, United Order of Druids, in Newport.
44. An act for the benefit of the city of Newport and the Campbells-ville turnpike company.
45. An act to legalize the acts of the town marshal of Ghent.
46. An act to change the voting place in the Tate district, in Casey county.
47. An act fixing the time of holding the quarterly courts of Carter county.
48. An act correcting courses of patent issued to Frederick M. Mauk, of Carter county, for fifty acres of land.
49. An act allowing the county court of Hickman county to increase the county levy.
50. An act for the benefit of stockholders in turnpike roads in Clarke county.
51. An act to incorporate Hickman Lodge, No. 72, I. O. O. F.
52. An act legalizing certain surveys made by the surveyor of Clay county.
53. An act to amend the 1st section, 17th article, of the 28th chapter, Revised Statutes, entitled "Crimes and Punishments."
54. An act for the benefit of the Hart county court.
55. An act to amend the charter of the town of Hammondsville.
56. An act for the benefit of William Gwynn.
57. An act to incorporate the town of Slaughtersville, in the county of Webster.
58. An act to authorize the county judge of Webster, to change the State road.

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- 59. An act in relation to roads and bridges in Greenup county.
 - 60. An act in relation to the town of Greenupsburg.
 - 61. An act to amend the charter of the Deposit Bank of Owensboro.
 - 62. An act for the benefit of Wm. B. Woods, of Pulaski county.

The rule of the Senate, constitutional provision, and second reading of said bills being dispensed with,

Ordered, That the 1st be referred to Messrs. Chambers, Andrews, and Gillis; the 2d, 16th, 34th, 35th, 48th, and 53d be referred to the Committee on the Judiciary; that the 21st and 22d be laid on the table; that the 41st and 45th be referred to the Committee on Revised Statutes; that the 6th and 29th be rejected; the 3d, 4th, 5th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, 15th, 17th, 18th, 19th, 20th, 23d, 24th, 25th, 26th, 27th, 28th, 30th, 31st, 32d, 33d, 36th 37th, 38th, 39th, 40th, 42d, 43d, 44th, 46th, 47th, 49th, 50th, 51st, 52d, 54th, 55th, 56th, 57th, 58th, 59th, 60th, 61st, and 62d be read a third time.

The rule of the Senate, constitutional provision, and third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the House of Representatives announcing that they had passed a resolution ratifying the amendment to the Constitution proposed by Congress at its last session.

On motion of Mr. Andrews, said resolution was taken up, twice read, and concurred in.

The yeas and nays being required thereon by Messrs. Andrews and Johnson, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|----------------------|-----------------------|----------------------|
| T. T. Alexander, | John F. Fisk, | Chas. D. Pennebaker, |
| William T. Anthony, | J. E. Gibson, | Albert G. Rhea, |
| Landaff W. Andrews, | William C. Gillis, | L. H. Rousseau, |
| John B. Bruner, | Thomas S. Grundy, | Henry M. Rust, |
| Benjamin P. Cissell, | Samuel Haycraft, | James Simpson, |
| A. D. Cosby, | John L. Irvin, | Harrison Taylor, |
| William S. Darnaby, | Samuel H. Jenkins, | Cyrenius Wait, |
| Alex. L. Davidson, | John M. Johnson, | C. J. Walton, |
| George Denny, | Thornton F. Marshall, | W. C. Whitaker—27. |

In the negative—none.

And so said resolution was unanimously adopted.

Under a suspension of the rules, bills of the following titles were reported, viz:

By Mr. Cissell, from the Committee on the Judiciary—

A bill to amend the charter of the town of Caseyville.

By Mr. Fisk, from the Committee on Education—

A bill for the benefit of school district No. 18, in Lincoln county.

By Mr. Rousseau, from the Committee on Finance—

A bill for the benefit of Harney, Hughes & Co.

A bill for the benefit of Prentice, Henderson & Osborne.

A bill for the benefit of the Louisville Courier Printing Company.

Which were read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of said bills having been dispensed with, and the same having been engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

And then the Senate adjourned.

TUESDAY, APRIL 2, 1861.

1. Mr. Cosby presented the petition of sundry citizens of the county of McLean, asking the passage of an act restraining the powers and jurisdiction of the marshal of Calhoun.

2. Mr. Johnson presented the petition of the trustees of Paducah College, praying the passage of an act for the benefit of said college.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Propositions and Grievances, and the 2d to the Committee on Education.

Mr. Whitaker from the select committee on eleemosynary institutions, made the following report, viz:

The undersigned, appointed a committee by a resolution of the Senate, adopted February 9, 1861, as follows: "Resolved, That the Committee on Finance be instructed to obtain from all the eleemosynary institutions of this State, and that the managers of the same be required to furnish a full and complete account of all the moneys appropriated for their use, and the manner and to what uses the same has been applied, and what the per capitum expense to the State of every recipient of her bounty; and also the percentage of deaths in each of said institutions, and report to the next meeting of this Senate; also the number of pay patients in each institution; the amount received from each, and what disposition has been made of the money received from this source, and what amount was paid by individual citizens as donations to the State for the benefit of said institutions," beg leave to make the following report:

They have heretofore laid before the Senate the report made by the Superintendent of the "Institution for the Education and Training of Feeble-Minded Children." Also the special report of the "Kentucky Institution for the Education of the Blind." Also the report of the Principal of the "Deaf and Dumb Asylum." Also the report of the Board of Managers for the "Eastern Lunatic Asylum," at Lexington, Ky., and the report of the Board of Managers of the "Western Lunatic Asylum," at Hopkinsville, Ky.

In addition to the able and satisfactory reports of the Superintendent of the Institution for the Education and Training of Feeble-Minded Children, and of the Board of Managers of the Eastern Lunatic Asylum, a portion of the committee have been personally cognizant of the very efficient mode and manner of conducting said institutions, and freely give this testimonial to that effect, without intending any reflection to the charitable institutions of the State they have not personally visited. They express themselves highly gratified to be able to report the excellent condition of the Institution for the Education of the Blind, and of the Asylum for the Deaf and Dumb. They are also gratified to be able to report that they believe, from the report of the Board of Managers of the Western Lunatic Asylum, that it has been managed by a Board and Superintendent who have endeavored, to the utmost of their ability, to put the Western Lunatic Asylum in as flourishing and successful operation as any of the charitable institutions of the State; and while we express our entire confidence in the integrity of those connected with this institution, we regret that it is our imperative duty and most unpleasant task to call the attention of the Senate to some facts connected with the location, and past and present condition of the Western Lunatic Asylum.

In the successful management of asylums for those unfortunate sufferers that appeal so deeply and touchingly to all our sympathies, it is absolutely and essentially necessary to have a most bountiful supply of pure water. The statistical information and experience which your committee were put in possession of by that generous and disinterested philanthropist, Miss Dix, obtained from personal observation of all the most prominent and well-conducted asylums of this country and the continent, in her Heaven-blest efforts to ameliorate the con-

dition of those to whom the immortal light of reason is denied, has convinced your committee that no lunatic asylum can be well conducted and carried on successfully without an inexhaustible supply of pure water. It is used for purposes of cleanliness, of heating the apartments, and is so intimately connected with all the laws of hygeia, as to be an insuperable essential. Your committee would call the attention of the Senate to the testimony before them on this subject. On page 10, of the report for the Western Lunatic Asylum, this language is used, in speaking of the heating of the apartments by heated air, when an effort was made to heat them by steam: "It was, however, discovered that the supply of water was altogether inadequate to the demand made by the steam apparatus, and after trying it a short time in the winter of 1854, the attempt was relinquished." "The heating of the apartments by steam is a *sine qua non* to the health and comfort of the lunatics." On same page is this language: "An attempt was made to procure a full supply of water by boring an artesian well." "The limestone rock was found to come within 3 feet of the surface, and a hole, 4 inches in diameter, was bored through it to the depth of 112 feet, when a stream of water was struck which rose 80 feet in the bore. When the steam engine was set to work on the pump, the supply of water, which was at first 11 gallons per minute, sunk to 3 or 4 in six hours."

It is *supposed* that by sinking the artesian well, a sufficient supply of water may be obtained, and if that fail, it has been suggested it may be brought from Little river, distant from the asylum about three quarters of a mile. Further from said report, page 11: "With reference to this subject of water supply, I beg leave to direct the board to the propriety, not to say the necessity, of constructing more rain-water cisterns," &c. * * * "If the cisterns now in use should give way, and the water leak out, or if a long drought should come in the summer, when the water is *most needed*, the consequences might be very *disastrous*." On page 12, "the small stream of water which in the winter flows over an uneven drain, is *dry in summer*, and is insufficient to carry off the offensive matter. This will be an insufferable nuisance, and will create general disease. The west wind is in summer the prevailing one, and will blow the effluvia directly towards the asylum. Our next neighbor, upon whose land there is also a small rivulet, into which that from the asylum enters, threatens a suit for spoiling his stock water." These extracts are from the very able report by Annan, M. D., the distinguished and accomplished Superintendent of the asylum for the years 1854-5. In the report of the same efficient Superintendent for 1856-7, page 12, this language is used: "I would first direct the attention of the managers to the important subject of warming the building. The chief difficulty has been the *insufficient* supply of water for keeping up steam." And again, in the report of the Board of Managers for 1858-9, page 10, this want of water is thus set forth: "Ever since the foundation of this Institution, the subject of properly warming and ventilating the main building by steam, has been one of serious and anxious consideration, and which experience has proven not only to be desirable, but of absolute necessity."

"But to obtain this end, we have found, from careful tests and actual measurement, that we need an additional boiler for steam, and that our supply of water is most wofully deficient." "Our first object was to obtain a constant and adequate supply of water." "This well is now 171 feet deep, and the water rises in the bore 130 feet. When this well is completed, and a sufficient supply of water obtained, the houses will be kept warm and comfortable, the washing and cooking will be greatly facilitated, and the dangers of that most fearful of all casualties, conflagration, will be in a great measure averted."

Your committee would respectfully suggest that the sad and terrible fate that actually befell this grand and noble charity of a generous people, is here alluded to with almost prophetic anticipation; and the yuinous *want* of this essential element is irresistibly impressed upon rour minds by the ineffaceable seething of the lurid flames, left upon the scorched and blackened walls of this once Samaritan home for dethroned reason and cheerless wretchedness. Again, on page twelve of this report, for 1858-'9, signed by the Board of Managers, (among whose names we find that of George Poindexter, whose integrity is above reproach, who this committee feel would fairly present the true condition of the Institution from motives actuated by a pure philanthropy, and to whom we shall presently allude as the source whence is derived a great deal of information on which this report is based,) we find language setting forth the "inadequate supply of water." And again, on page 15 of the same report, "all had suffered seriously during the previous winter, and many, particularly the epileptics, exhibited evidences of the evil effects of cold damp atmosphere upon weak and diseased *bodies*. This exposure and suffering resulted from unavoidable necessity to confine most of the patients, during the long and inclement nights of winter, in rooms destitute of any artificial warming." "And the irregular and often deficient supply of water for steam and other purposes, added to the inefficiency of the steam apparatus, broken and deranged condition of the steam and water pipes, as well as water tanks, rendered it not only impracticable, but utterly impossible, to warm the halls or lodging apartments of the sufferers."

Your committee are most deeply impressed with the appalling picture of human suffering here delineated with such terrible truth. Such men as John P. Campell, Wm. T. Buckner, George Poindexter, Thomas Green, and Edwin R. Cook, are men to be relied on, and they have borne evidence to the truth of the tragic scenes of the mournful drama. Nor could this have been the result of inattention on the part of these men, then the managers of the institution. Such a position would argue that they are hard-hearted and recklessly inhumane. We know them to be warm-hearted, generous men, and when the limited and barren supplies of water were not obtained, we can but infer that it could not. Again, on page 16, same report: "Again, it is earnestly hoped that removal of the leaky water tank, and erection of two new tanks now finished, enlargement of the engine house, &c., will mitigate greatly, but cannot obviate, nor even lessen, all of the worst evils which have been experienced." * * * "The completion of the artesian

well must be effected, or a sufficiently capacious reservoir erected, and filled during seasons of wet weather from the spring which has been the chief but inadequate and uncertain source of supply." "This is necessary to the comfort of the patients; it is indispensable to successful treatment of their maladies." "During the last three or four years the volume of water which previously flowed from this spring has become reduced fully fifty per cent., in consequence of fractures in the rock, as some persons suppose, over which the stream passes." These fissures in the rock, from the testimony before the committee, are also a peculiar characteristic of Little river. To what extent it would ultimately affect that stream we cannot inform the Senate. This and the dry weather affect it so materially, however, as to reduce its flow so that it does not keep the mills running that are located on its banks. But again, on 28th November, 1859, according to the report for that year by S. P. Snead, page 51, he says: "I came to my present condition on the 3d of February, '59, and found the institution suffering greatly from an insufficient supply of water." Same report, page 53, he says: "The spring stream, which is the principal dependence of the house for water, commenced failing in March, and by the 1st of July only furnished about seventy-five barrels of water daily, whilst the house requires for the purposes of bathing, washing, and scouring, about 250 barrels per diem. Even in the winter season, in the event of a long dry spell, there is danger of not having sufficient water; and the water in the engine-house cistern would become so hot from the condensed water from the coils as to spoil the water of the cold water pump."

The artesian well now in progress of boring is about 1,000 feet deep, and as yet no supply of fresh water. There is some water, the volume of which is variously estimated, but this is so impregnated with sulphur as to render it wholly unfit to heat the apartments, on account of its corroding effect on the boiler and pipes, and is not suitable for the wants of the establishment. Testimony conclusive was before us that not less than 20,000 gallons per diem would be essential for the sanitary regulations, and that about 30,000 gallons per diem would not be too much for a bountiful supply. This testimony was very strong; conclusive to the minds of some of the committee that the sources whence it is contemplated to supply this now admitted deficiency of water is not adequate for the purpose. This comes from sources of enlarged experience on these subjects. In this connection, however, it is proper to add that the statements of gentlemen to whom we have before alluded, go to show that from two springs belonging to private individuals, and in use now by them, and to which he says the right of joint use can be obtained, would, with the waters of the asylum spring, if collected in a large reservoir some five hundred or six hundred feet square, with an average depth of some six or seven feet, afford, in his opinion, water enough; and in corroboration of his position, cites the estimates made by a civil engineer, (Lewis Warden;) and in the event that this is not resorted to, he is of opinion that by the making of a reservoir on a hill some half mile off, and by the erection of a steam engine at Little river to elevate the water into it, and

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thence convey it by pipes to the asylum, that a plentiful supply might be obtained. It is justice to this gentleman, and the interests of the people he so ably represents, to say that he is of opinion that enough water can be obtained for all asylum purposes. He estimates the per diem quantity at about 10,000 gallons. We have had the statements of other persons of good sense and a high order of intelligence to the same effect.

But your committee are forced to the conclusion, in view of all the *facts* presented before them, that the supply of water is, to say the most, very doubtful, if not altogether inadequate and uncertain for the uses of such an institution; for the committee cannot arrive at the conclusion that men of such integrity, perception, and humanity, as those who have had the control and management of this institution, should not have heretofore reported to the Legislature of this State these *facts*, and have made available for the alleviation of the sufferings of the unfortunate beings under their charge means, now for the first time shown to be so near at hand in such profusion. Whatever conclusion the Senate may arrive at, the committee cannot too forcibly and earnestly press the question of an inexhaustible supply of pure water; and the reconstruction and re-building of an asylum should be governed in a great measure by this non-essential.

Without a personal inspection of the location of the Western Lunatic Asylum, your committee will be compelled to give facts as to its health, not express any opinion that is not thereby sustained. The following is a statement, for three years, of the percentage of mortality among the patients:

1858—Average number of patients, 131; percentage of deaths, 8.9.

1859—Average number of patients, 181; percentage of deaths, 14.23.

1860—Average number of patients, 228; percentage of deaths, 15.4.

On page 15, report of 1858-9, we call your attention: "To add, as it were, to existing difficulties, as the genial warmth of spring came, epidemic dysentery invaded the feeble household. Before the close of July about eighty cases of this disease had occurred, and ten of them terminated fatally. Several of the stoutest attendants and other helps suffered also." * * * "The cistern water failed about this time—a serious misfortune even alone, now a great and perplexing evil. Early in August miasmal bilious fever, of a violent grade, appeared in the country, and was soon in the asylum. Dysentery seemed to run into the fever, as it has been observed to do in general practice. And it is a remarkable fact that scarcely an individual who had convalesced, or who was recovering from a recent attack of dysentery, escaped an attack from this fever; and, of course, many of such patients soon succumbed to its fatal force. That any of them yet live, must be ascribed to a merciful dispensation of heaven. Many have recovered; while others feebly linger, who must, probably, sooner or later, be numbered among the dead."

From the tables of mortality furnished by the Board, it will be found that the percentage of deaths, for the years 1858-9-'60, is an average of 12.84 per cent.; of this the greatest mortality occurred in 1860, and

the next greatest in 1859. Your committee could not but be most forcibly struck with this fearful mortality, compared with that of the Eastern Lunatic Asylum for the years 1859-'60-1.

In the Eastern Asylum the percentage of deaths for the year ending 30th September, 1859, was 3.32 per cent.; for the year ending 30th September, 1860, it was 3.70 per cent. During the present year, beginning 30th September, 1860, it is 3.28 per cent., and during the present year the Eastern Asylum had 275 patients. What was the cause of this great preponderance in favor of the health of the Eastern Lunatic Asylum? This arose, as was alleged by the friends of the Western Lunatic Asylum, from the sending by the Eastern Asylum to the Western all the weak, diseased, and chronic cases of lunacy. The facts do not, in the opinion of the committee, sustain the allegation. Only twenty-nine patients were sent to the Western by the Eastern Lunatic Asylum. This was in 1854; and in accordance with the law, it being those whose residence was in the 1st, 2d, and 3d districts. In accounting for this mortality, it was also urged that many of the patients died from the fatigue and emaciation arising from the long weary travel in reaching the Western Asylum, on account of its location on the remote edge of the State. If this be true, (and the committee has every reason to believe the statement,) it is a fact that ought to have great force and weight with the Senate on the important subject they now have under consideration. A more central location would not be obnoxious to this great objection.

By an inspection of the finances of the Western Asylum the following will appear. We call attention only to the years 1858, '59, and '60; and first the year 1858:

This year there were in the asylum: average number of patients, 131. The appropriation by the State for that year was \$27,500; of this, \$2,500 was for the purpose of building a fence, and was so applied. Dividing the balance by 131 makes the per capittem expense of each patients, \$190 83. Suppose, however, we take the cash on hand from 1857, amounting to \$1,368 67; and to this add the appropriation, \$25,000; and the amount received from 28 pay patients, \$2,690; making the gross amount \$29,058 67. This will give a per capittem expense of \$221 81 for the year 1858. This should be credited by \$2,153 carried to 1859. For the year 1859, adding to the appropriation of State, say \$25,000, the amount from pay patients, \$4,915; the amount clothing, lime, and hogs sold, \$52 50; also amount borrowed from bank, \$1,470; and the cash on hand from 1858, \$2,153—\$33,590 50; from this deduct the cash taken to 1860, \$247 39—\$33,342 11; and divided by number of patients, 181, and the per capittem expense will be \$180 20. And for 1860, amount of resources, as per report: From State, \$35,000; borrowed from bank, \$5,119 75; received from 28 pay patients, \$4,428 50; and from other sources the sum of \$179 49—\$44,727 74. Average number of patients, 228, will give the per capittem expense for 1860, of \$195 74.

A division of the appropriation for 1858 by the number of patients, including pay-patients, will give a per capittem expense of \$190 83; for 1859, a per capittem expense of \$138 12; showing, conclusively,

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that the per capitem expense as reported in their response to the resolution of the Senate is erroneously estimated. We think the calculation made by adding all the resources is correct. Compare this with the expense of the patients, per capitem, at the Eastern Lunatic Asylum, and there is a very great preponderance in favor of the latter institution ; and for your better information we will give the data. Eastern Asylum, for 1858 : average number of patients, 230 ; appropriation, \$29,250 ; per capitem expense, \$127 18, including boarders. For 1859 : average number supported, including pay-patients, 228 ; amount of appropriation, \$29,250 ; number pay-patients, 40 ; per capitem expense, \$128 28. For 1860 and 1861 : appropriation each year, \$25,250 ; average number of patients each year, 232 ; per capitem expense, \$108 83, including 192 non-paying and 40 paying patients. Consolidating the estimate at the Eastern Lunatic Asylum, the per capitem expense for the non-paying patients, above the appropriation, is at the rate of \$131 50 per annum—a less sum than is appropriated to each patient at Hopkinsville, including the boarders. In estimating the expenses of the patients, no reference has been made to the income derivable from the 380 acres of land belonging to the Western Asylum, nor from the 165 acres belonging to the Eastern. We find upon a further comparison of the amount appropriated to the Western and Eastern Asylums, that the appropriation to the Eastern was reduced for 1860 and 1861 to \$25,250 per annum, and it was increased to \$35,000 to the Western Asylum, although the average number supported at the Eastern was larger than that at the Western—it being 232 against 228 for 1860, and 232 against 210 for 1861.

These estimates and facts show a great defect somewhere. We take pleasure in saying that the Western Asylum is, and has been, managed by high-minded and prudent men ; the fault (for there is one) is with the location, not with the managers. We believe they have honestly performed their duties, and practiced all the economy in their power. But living is cheaper at other points, and the expense not so great.

We desire to call the attention of the Senate to the table of the average cost per week of keeping lunatics in asylums in the United States, presented in the able and valuable report of the Superintendent of the Eastern Lunatic Asylum. From an inspection of that table it appears that the average cost per week, (beginning with the McLean Asylum in Massachusetts, as the highest, the cost being \$6 80 per week, and closing with the Illinois Hospital for the Insane, it being \$2 77 per week,) in nineteen asylums, is \$3 93. In a great many instances there enumerated, the salaries of the officers are not included. The cost at the Eastern Lunatic Asylum, including officers' salaries, is \$2 87 per week. This asylum will compare with any institution of the kind in the effectiveness of its organization for the recovery and amelioration of the condition of the insane. As to the walls of the building, some of them are represented to be in bad condition, and will have to be pulled down ; but in the main they are supposed to be substantial. Three of them are very much sprung. On this subject we are decidedly of opinion that this Senate ought to

concur in the expression of preference on the 7th page of the report of George Poindexter, William T. Buckner, S. M. Bernard, E. R. Cook, and John S. Bryan, made to the Governor of Kentucky in relation to the burning of said asylum, in these words: "We would much prefer time permitting a committee from the Legislature, who could examine for themselves and report." We presume they are sufficiently acquainted with the true condition of things, and that this committee should be appointed.

The committee would call the attention of the Senate to the prompt manner in which answers from each of the charitable institutions have been given. Answers, too, requiring a vast amount of labor. It shows a very commendable and laudable attention and application on the part of those controlling these institutions. We regret, however, that the shortness of the time inhibited the worthy principal of the Deaf and Dumb Asylum from presenting a consolidated abstract of the interesting facts presented by him, and we would suggest that it be furnished, at the next meeting of the Legislature, accompanied with a table of statistics, as to the expenses incurred, and the mode and manner of the management of similar institutions in the United States. The committee, in the limited time allotted them to discharge their duties under this resolution, have been unable to present such a report in detail, or to get such reports in detail, as they would have presented; but they think sufficient information and data has been laid before the Senate to warrant the committee in suggesting the appointment of a "Commissioner," who shall, on the part of the State, annually settle and audit the accounts and expenditures, and critically examine all the vouchers of every charitable institution of this State, and make his report of their condition, in addition to what shall come from the managers of each institution.

We deem the appointment of such a Commissioner as indispensable. It will enable the State to have, in a consolidated and satisfactory presentation, all the minutia and detail of her financial expenditures for charity every year, and operate as a safeguard against any abuse that might arise. This suggestion is enforced with great power by the fact that this committee have been compelled to take for granted as correct the statement of accounts, without an examination of the vouchers on which these statements have been made.

In conclusion, the committee are of opinion that a Commission should be appointed to examine the old location of the Western Lunatic Asylum, and other new localities, and report to the next Legislature the most suitable and appropriate place for the erection of a new building. The mere cost of the old materials should have but little weight in fixing the location of an institution that has for its object the amelioration of, and recovery from, the greatest misfortune that can visit man. It should be located where an inexhaustible supply of living water shall ever be at hand to refresh and invigorate; it should be located where miasmatic exhalations and malaria, that breed pestilence and fevers that wasteth at noon-day, shall not prostrate and wither the physical frame of those on whom has settled the oblivious darkness of a mental night; it should be located where it will not be

an exorbitant and extravagant drain, compared with other institutions, upon the bounty and liberality of a State that diffuses kind beneficence around as descends the silent dew, and restores the mind to its bright and glorious crown; it should be located in a spot where the storms of winter nor the drouths of summer will never diminish the supplies of life and health, and be a perpetual memorial in honor of the charity of the State.

WALTER C. WHITAKER, *Chairman.*
JOHN F. FISK,
HENRY M. RUST.

Resolved, That a Commissioner be appointed to audit and settle the accounts and examine the vouchers of the eleemosynary institutions of this State, and make report annually to the Legislature of this State.

Resolved, That a commission of three persons be appointed by the Governor to examine and select a fit and suitable location for the re-erection of the Western Lunatic Asylum, and report to the meeting of the next Legislature of this State.

ACCOMPANYING DOCUMENTS.

To the Board of Managers of the Western Lunatic Asylum, Hopkinsville, Kentucky:

GENTLEMEN: I herewith submit for your consideration the result of my investigations in relation to the water supply for the Hopkinsville Insane Asylum, together with such suggestions as have presented themselves to me as to the means best adapted for placing that supply beyond a possible contingency.

The question has been gravely urged whether it is possible to procure a sufficient supply, and for the reason that on this question doubts have existed in the minds of some, the propriety of retaining the location has been seriously considered. It seems to me, however, that, to a thinking mind, the doubts must quickly vanish. Kentucky is not an arid desert; and I do not hesitate to say that the most captious opponent of the present site, (if interested in a few sections of ground in the immediate neighborhood,) would, should the speculation offer, jump at the chance to have it sub-divided into town lots, with a prospect ultimately of its accommodating a population a hundred-fold greater than we ever expect to provide with homes in the asylum, without experiencing a moment's uneasiness at the prospect of a fail-

ure of the water supply. Nor is there reason for an existing doubt. Nature has been bountiful in her supplies, and it merely remains for us to provide the means for constructing it.

The asylum spring seems, from some cause, to have failed to supply the cistern, although an examination of the fountain head seems to indicate rather a change of direction than lack of water; and I have no doubt, that if the pipes leading to the spring—which are about a half mile in length, and but two inches in diameter, with a grade of 22 feet—were examined, one source of difficulty would be immediately discovered; the area of the pipe is inadequate to the length and grade, and the incrustations of the pipe have, with the sediment, so choked up the passage the force of the stream has been unable to overcome the friction in the pipes; a larger pipe might overcome the difficulty and furnish an adequate supply. In examining this important question it will be well, in the first place, to determine the amount of water which the asylum needs. Careful estimates, contained in the reports of similar institutions, show the average consumption of water to be about 30 gallons to each patient; and as the asylum when reconstructed will contain accommodations for about 300 patients, the daily water supply will require to be about 9,000 gallons. This amount, when compared with the ordinary consumption of a family or hotel, may seem large; but in an institution where considerable quantities are required to keep the drains and water closets in proper order, and to supply the heating apparatus, I am satisfied the estimate is not excessive; and although the rain water cisterns furnish an ample supply for culinary purposes, I have not thought best to make any deduction from the estimate; 9,000 gallons being required for daily use, let us examine into the most economical means of procuring it.

The spring at first expected to furnish the desired quantity seems to have come far short. The reason, as I have before hinted, may, perhaps, be found on examination of the conduit pipes; but the deficiency may be readily made up by conducting the water from Hays' spring. From a survey and measurements made on the 14th of March last, I find the distance from the spring to the northwest corner of asylum to be 2,244 feet, with a fall of nearly 17 feet. The yield of the spring at that date was by measurement 8 34-100 gallons per minute, or a supply equal to over 12,000 gallons per day, and the owner of the spring claims that it never yields a less quantity than at the time I examined it. Supposing, however, that in an extraordinary dry season, with the amount used by the owner the supply was reduced one fourth, there would still be a surplus of more than 9,000 gallons, or an amount equal to our total requirements. The cost of conveying this in a three inch cast-iron pipe from the spring to the large cistern now built near the engine-house, would be about (\$1,090) one thousand and ninety dollars. As the present asylum springs are conveyed to the same cistern, there could be but little doubt of procuring a permanent supply.

Another source which may prove adequate is the artesian well now being bored on the asylum grounds. The success of this mode of supply is entirely dependent upon the earth's strata at a depth securely hidden from "*mortal ken*," and is, therefore, under the most favorable

circumstances, to be regarded as but an experiment which may be either eminently successful or a complete failure. As to the success of the experiment in this case, even the most learned opinion would be merely conjecture, and I should prefer to wait for the results, before hazarding one that might prove erroneous. There is also a great uncertainty that should water be found it would prove to be of a quality suitable for the purposes of the institution. Should the springs fail in extremely dry seasons to supply the demands of asylum, provision could easily be made to hold in a reservoir a quantity equal to three months' consumption. By constructing the reservoir on the hill between the asylum springs and the building, with connecting pipes to the cistern, the contingency of extreme drouth would be provided against. I should propose to make the reservoir about 500 feet from the building, with an interior diameter of 100 feet at the bottom, 142 feet at the top of embankment, 138 feet at the water line, with a depth of $9\frac{1}{2}$ feet. A basin of this capacity would hold 810,500 gallons, and would cost complete with 2,000 feet of 4 inch cast iron conduit pipe, about \$3,690 00, I have also examined into the feasibility of bringing the water supply from the nearest branch of Little river, the distance of which from the building is about 3,300 feet; the hight from water of the river to the base of building being 52 82-100 feet. Should that source of supply be adopted, it would be necessary to build a receiving reservoir on the hill to east of the asylum, with a complete, yet economical water-works pumping apparatus at the river. In presenting the data for this, I have availed myself of the enlarged experience of Lewis Warden, Esq., late Superintendent and Engineer of the Cincinnati Water-Works, a gentleman whose thorough practical knowledge of this branch of mechanical engineering is a sufficient guarantee of the reliability of his estimates. His communication, marked (A,) you will find herewith annexed. From either, or all of the above mentioned sources, there can be no doubt of procuring an adequate water supply for all the wants of the Institution, and at a moderate expense; the first cost in each case being, in a great measure, the final cost; none of the work would be very liable to get out of repair; and in the last plan suggested, the water-works at Little river, after the machinery was once in operation, all the necessary repairs could be performed by the ordinary attachees of the Institution, without any extra expense to the State.

Very respectfully, your obedient servant,

W. B. KELLY,

Architect Western Lunatic Asylum.

To GEORGE POINDEXTER, Esq., Chairman Board of Managers, Western Lunatic Asylum.

(A.)

CINCINNATI, March 20, 1861.

W. B. Kelly, Esq., Architect and Civil Engineer:

SIR: I have duly considered the matter submitted to me by you, regarding the cost of a water-works for the Kentucky Lunatic Asylum, and present an estimate and statements which, I think, may be relied

[APRIL 2,

upon as correct, as they are based upon data collated from reliable sources and my own practical experience while chief engineer of the water-works of this city, and in other places, with pumping engines. For all items given below, I think I have found about the cost, unless it may be in the estimate for the reservoir, for which I have depended on you, as you better know the cost of excavation and work of the character in this premises necessary than I do, since the price of such work varies materially in different localities. I, however, give you an estimate that is something near an approximation:

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| Reservoir to contain 276,400 gallons | \$1,600 00 |
| 3,300 feet 4 inch pipe from pump to reservoir | 1,750 00 |
| 885 feet 3 inch pipe from reservoir to and into Asylum | 376 13 |
| Engine house, stack, furnace, brick, wood, and stone work for foundation and pump room | 875 00 |
| Engine, boiler, and pump complete | 850 00 |
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| | \$5,451 13 |

This estimate contemplates the use of a vertical, direct acting, high pressure steam engine, with a double acting lifting and forcing pump, of the most simple, reliable, and economical construction, the recommendation of which I am induced to, because of the fact that very many of the public institutions of the country have been so much imposed upon by being induced to purchase imperfect and useless pumping apparatus, upon their patented and newspaper reputations, which, in far the greater number of cases, prove to be a bad investment, and in none more so than in pumping machinery. The capacity of the pump to be made use of is such as to fill the reservoir in six hours, against the drain made upon it by the constant use of water within the asylum. The furnace and boiler, if set upon the plan submitted, will only consume, monthly, about 75 bushels of coal, or \$200 worth per annum, it being intended to use this pumping engine six days of each month only. No special engineer will be needed for this service, as the assistants of the engineer of the asylum can do this service. Metallic packing will be used, and the oil and coal will be the principal expense in the use of the engine.

This statement embraces the purchase of new machinery, but at the same time is made with the view to use the small engine now there, if it can be adapted to the purpose without adding too much expense. It will sell for about \$300, which will about pay the expense of putting up and starting the works. For a more complete understanding of the whole matter, I refer you to the outline plans of the building and parts of the machinery accompanying.

Respectfully submitted.

LEWIS WARDEN,
Mechanical and Practical Engineer, late of Cincinnati Water-Works.

To George Poindexter, Esq.:

SIR: On the chance that my opinion may, in any sort, be misapprehended regarding the *natural* healthfulness of the hospital site at Hopkinsville, I repeat now that, to the best of my knowledge, all periods of special ill health *there* may be referable to the inadequate

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supply of pure water for *all* purposes, in general and in detail; and inasmuch as *drainage* passes into a dry branch in summer, a supply largely in excess of ordinary demands seems demanded. The supply of water *sure and ample* at all seasons, and the drainage complete in method, I would as willingly reside in the hospital at Hopkinsville, or the vicinity, during the entire year, as at Lexington, or any other part of the State, so far as the single question of general health is embraced.

Respectfully,

D. L. DIX.

Ordered, That the Public Printer forthwith print 150 copies of the same for the use of the members of the General Assembly.

A message was received from the House of Representatives, by the hands of Messrs. Hitt and Goodloe, announcing that they had been appointed by the House of Representatives, to act in conjunction with a similar committee on the part of the Senate, to wait upon the Hon. John C. Breckinridge and conduct him to the hall of the House of Representatives, in accordance with the invitation extended by both Houses of the General Assembly.

Messrs. Fisk, DeHaven, and Denny were appointed on the part of the Senate.

Under a suspension of the rules, bills of the following titles were reported, viz :

By Mr. Whitaker, from the Committee on Circuit Courts—

A bill for the benefit of W. C. McGlasson and Polly Jessee, of Adair county.

By Mr. Rust, from the Committee on County Courts—

A bill to create the office of county treasurer of Whitley county.

By Mr. Haycraft, from the Committee on Propositions and Grievances—

A bill to amend an act to protect graves and grave-yards.

Which were read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bills having been dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of said bills being dispensed with, and the same having been engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Cissell, from the Committee on the Judiciary to whom had been referred House bills of the following titles, reported the same back to the Senate.

1. An act for the benefit of Martha A. Corbin.
2. An act to regulate assessments in Bullitt county.
3. An act to amend the charter of the town of Danville.
With an amendment to the last named act.
Which was adopted.

Ordered, That the first and third be read a third time, and that the second be rejected.

The rule of the Senate, constitutional provision, and third reading of the first and third being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the House of Representatives, announcing that they had passed bills originating in the Senate of the following titles, viz :

An act for the benefit of school district No. 10, in Harlan county.
An act for the benefit of school district No 11, in Owsley county.
And that they had passed bills of the following titles, viz :
An act to amend an act incorporating the town of Grayson, in Carter county.

An act to amend the charters of the several banks of issue.
An act to provide for the election of delegates to a convention to be held in Frankfort.

An act for the benefit of common school districts Nos. 26 and 36, in Webster county.

An act to incorporate Salt River Lodge, No. 180, of Free and Accepted Masons.

An act requiring turnpike, toll-bridge, and plank road companies to declare semi-annual dividends.

Resolution fixing a day for final adjournment of the General Assembly.

And that they had received official information from the Governor that he had signed and approved bills of the following titles, which had originated in the House of Representatives, viz :

An act for the benefit of the town of Williamsburg, in Whitley county.

An act to revive an act establishing the office of county treasurer for Bracken county, approved March 10, 1856.

An act to charter the Bon Harbor turnpike road company.

An act for the benefit of S. E. Higgins.

An act to amend the charter of the Southern Bank of Kentucky.

An act for the benefit of S. W. Rennick, late sheriff of Hickman county.

An act for the benefit of the sheriff of Green county.

An act to exempt guns from execution.

An act legalizing the election of the chairman and board of trustees of Bowling-Green..

An act for the benefit of William J. Ashcraft, of Estill county.

An act to amend the charter of the city of Covington.

An act to incorporate Raywick Lodge, No. 299, of Free and Accepted Masons.

An act for the benefit of the sinking fund commissioners of Nelson county.

An act creating an additional justices' and voting district in Nelson county.

An act to amend an act to incorporate the Female Literary and Benevolent Institution of Nazareth, near Bardstown, approved December 29, 1829.

An act to amend an act authorizing the sale of Robinson Academy, in Adair county.

An act to amend the charter of the Louisville turnpike road company.

An act to incorporate the Excelsior Literary Society of Greenville.

An act to incorporate Compass Lodge, No. 223, A. F. M., of Louisville.

An act to change a voting place in Powell county.

An act to change the line of a voting precinct in Montgomery county.

An act to amend the charter of the Ruddle's Mill and Shawhan Station turnpike road company.

An act to authorize the election of a police judge in the town of Irvine.

An act to incorporate the town of Quincy, in Lewis county.

Mr. Pennebaker, from the Committee on Military Affairs, to whom it had been referred, reported a bill of the following title, viz:

An act to carry into effect certain provisions of an act for the better organization of the militia,

With sundry amendments to said bill.

Said amendments were concurred in.

Ordered, That said bill, as amended, be read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill being dispensed with,

The question was taken on its passage, and it was decided in the affirmative.

The yeas and nays being required thereon by the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

| | |
|---|-----------------------|
| Mr. Speaker, (Porter,) Samuel E. DeHaven, | Samuel H. Jenkins, |
| William T. Anthony, John F. Fisk, | John M. Johnson, |
| Landaff W. Andrews, J. E. Gibson, | Thornton F. Marshall, |
| Charles Chambers, William C. Gillis, | C. D. Pennebaker, |
| Benjamin P. Cissell, Robert E. Glenn, | Albert G. Rhea. |
| A. D. Cosby, Thomas S. Grundy, | L. H. Rousseau, |
| William S. Darnaby, Samuel Haycraft, | Henry M. Rust—23. |
| Alex. L. Davidson, John L. Irvan, | |

Those who voted in the negative, were—

| | | |
|-----------------|------------------|-------------------|
| John B. Bruner, | James Simpson, | Cyrenius Wait, |
| George Denny, | Harrison Taylor, | W. C. Whitaker—6. |

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Johnson read and laid upon the table the following joint resolutions, viz:

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That in the present unhappy controversy, the people of the Northern free States are the aggressors.

2. *Resolved*, That we are opposed to secession, or any other revolutionary act at this time, and will await the action of the proposed Border Slave State Convention, to assemble in this city, or any other plausible plan of adjustment, having in view the just settlement of pending difficulties on the principles of justice and equality.

3. *Resolved*, That we will contend for guarantees in the Constitution, as the only means of settling forever the slavery question, not less clear and well defined than the propositions offered in the Senate of the United States by the Hon. John J. Crittenden.

4. *Resolved*, That it is the hope of this General Assembly that the non-slaveholding States will not deny us an adjustment upon this plan at as early a day as practicable.

Mr. Fisk read and laid upon the table the following joint resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That if the border slave States agree upon a plan of adjustment of the matters in controversy, and that plan is accepted by the North, and made a part of the Constitution, it will be the duty of Kentucky, and the whole South, to accept said settlement as a finality, and that all the States should become and remain one nation, under one Constitution, and the glorious old flag made by the fathers of the Revolution.

Under a suspension of the rules,

Ordered, That the Public Printer forthwith print 150 copies of each of said resolutions for the use of the members of the General Assembly.

Leave was granted to bring in bills of the following titles, viz:

On motion of Mr. Gillis—1. A bill paying civil officers for services rendered under the militia law.

On motion of Mr. Davidson—2. A bill for the benefit of R. C. Day, of Morgan county.

On motion of same—3. A bill for the benefit of W. H. Kendall, of Morgan county.

On motion of Mr. DeHaven—4. A bill to amend the charter of Eminence.

On motion of Mr. Rhea—5. A bill authorizing the county courts of Todd and Logan to change State road.

Ordered, That the Committee on the Judiciary prepare and bring in the 1st and 3d; the Committee on Finance the 2d and 4th; and the Committee on County Courts the 5th.

Under a suspension of the rules, bills of the following titles were taken up from the orders of the day:

A bill to inclose the grounds of the Institution for Feeble-minded Children.

Which reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That the Superintendent of the Institution for the Instruction of Feeble-minded Children be, and he is hereby, authorized and empowered to inclose the grounds belonging to the institution with a suitable and substantial fence: *Provided,* The cost of the same shall not exceed the sum of five hundred dollars.

§ 2. That when said fence is completed, said Superintendent shall settle with the Auditor, and when the account is found correct the Auditor shall draw his warrant on the treasury for said sum.

§ 3. This act to take effect from its passage.

Ordered, That said bill be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with,

The question was then taken on its passage, and it was decided in the affirmative.

The yeas and nays being required thereon by the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

| | | |
|---|--|--|
| Mr. Speaker, (Porter,) T. T. Alexander, Landaff W. Andrews, John B. Bruner, Charles Chambers, Benjamin P. Cissell, A. D. Cosby, William S. Darnaby, Alex. L. Davidson, Samuel E. DeHaven, | George Denny, John F. Fisk, J. E. Gibson, William C. Gillis, Robert E. Glenn, Samuel Haycraft, John L. Irvan, John M. Johnson, Thornton F. Marshall, | C. D. Pennebaker, Albert G. Rhea, L. H. Rousseau, Henry M. Rust, James Simpson, Harrison Taylor, Cyrenius Wait, C. J. Walton, W. C. Whitaker—28. |
|---|--|--|

In the negative—none.

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

1. A bill to allow circuit court clerks certain fees in felony cases.
2. A bill giving further time to delinquent common school districts to report.
3. A bill concerning billiard tables.
4. A bill to amend section 19, article 4, chapter 83, Revised Statutes.
5. A bill for the benefit of Thomas Basye, of Oldham county.
6. A bill for the benefit of Henry Lucas.

Ordered, That the 1st be referred to the Committee on the Judiciary; that the 3d and 4th be laid upon the table, and that the 2d, 5th, and 6th be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of said bills having been dispensed with, and the same having been engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

1. An act in relation to school district No. —, in Trigg county.
2. An act for the benefit of the proprietors and lessees of Mammoth Cave.
3. An act changing the time of holding the equity and criminal courts of Hickman and Fulton counties.

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4. An act requiring turnpike, toll-bridge, and plank road companies to declare semi-annual dividends.

5. An act to incorporate Salt River Lodge, No. 180, of Free and Accepted Masons.

6. An act to amend an act incorporating the town of Grayson, in Carter county, approved February 22, 1860.

7. An act for the benefit of common school districts Nos. 26 and 36, in Webster county.

8. An act to amend the charters of the several banks of issue.

Which were read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bills having been dispensed with,

Ordered, That the 2d be referred to the Committee on the Judiciary, that the 8th be laid on the table, and that the 1st, 3d, 4th, 5th, 6th, and 7th be read a third time.

The rule of the Senate, constitutional provision, and third reading of said bills having been dispensed with, and the same having been engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

An act to provide for the election of delegates to a convention to be held in Frankfort.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bill having been dispensed with,

Ordered, That said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Andrews and Fisk, were as follows, viz:

Those who voted in the affirmative, were—

| | |
|---------------------------------------|------------------|
| Mr. Speaker, (Porter,) George Denny, | John A. Prall, |
| William T. Anthony, John F. Fisk, | Albert G. Rhea, |
| Landaff W. Andrews, J. E. Gibson, | L. H. Rousseau, |
| John B. Bruner, William C. Gillis, | James Simpson, |
| Benjamin P. Cissell, Robert E. Glenn, | Harrison Taylor, |

A. D. Cosby, Samuel Haycraft, Cyrenius Wait,
William S. Darnaby, Samuel H. Jenkins, E. Dudley Walker,
Alex. L. Davidson, John M. Johnson, C. J. Walton,
Samuel E. DeHaven, Thornton F. Marshall, W. C. Whitaker—27.

In the negative—none.

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate then, according to order made at a former day, proceeded in a body to the hall of the House of Representatives, for the purpose of holding a joint session of both branches of the General Assembly, to listen to an address from the Hon. John C. Breckinridge; and after some time spent in joint session, the Senate returned to their chamber, Mr. Breckinridge having finished his address, and resumed the consideration of business then before them.

A message was received from the House of Representatives by the hands of the Clerk, announcing that they had passed resolutions upon the following subjects, viz:

1. Resolution fixing a day for final adjournment of the General Assembly.
2. Resolutions requesting the withdrawal of federal troops from the seceded States.
3. Resolutions expressing disapprobation of the course of Ohio in reference to the rendition of a fugitive.

The Senate then took up for consideration the first resolution, which was twice read and concurred in.

Mr. Simpson offered the following substitute for the second resolution, viz :

Resolved by the General Assembly of the Commonwealth of Kentucky, That the withdrawal of the Federal troops from the forts in the seceding States, for the purpose of preventing civil war and the shedding of fraternal blood, would be attended by no dishonor; and that such a course of conduct by the General Government would meet the cordial approval of the State of Kentucky, and also greatly tend to preserve and perpetuate the kind feeling which we believe still exists between the masses of the people of this Union, notwithstanding the unhappy differences which have arisen among us.

Mr. Rhea moved to amend the amendment offered by Mr. Simpson.

The yeas and nays being demanded on the amendment proposed by Mr. Rhea by Messrs. Cissell and Rhea, were as follows, viz:

Those who voted in the affirmative, were—

| | |
|--|-------------------|
| Mr. Speaker, (Porter,) William S. Darnaby, | Robert E. Glenn, |
| W. T. Anthony, Alex. L. Davidson, | John M. Johnson, |
| Benjamin P. Cissell, J. E. Gibson, | Albert G. Rhea—9. |

Those who voted in the negative, were—

| | |
|--------------------------------------|--------------------|
| Landaff W. Andrews, Samuel Haycraft, | Harrison Taylor, |
| John B. Bruner, Samuel H. Jenkins, | Cyrenius Wait, |
| A. D. Cosby, Thornton F. Marshall, | E. Dudley Walker, |
| George Denny, John A. Prall, | C. J. Walton, |
| John F. Fisk, L. H. Rousseau, | W. C. Whitaker—17. |
| William C. Gillis, James Simpson, | |

The question was then taken on referring said resolutions and the amendment proposed by Mr. Simpson to the Committee on Federal Relations.

The yeas and nays being demanded on said motion by Messrs. Rhea and Fisk, were as follows, viz:

Those who voted in the affirmative, were—

| | |
|--------------------------------------|--------------------|
| Landaff W. Andrews, Samuel Haycraft, | Harrison Taylor, |
| John B. Bruner, Samuel H. Jenkins, | Cyrenius Wait, |
| A. D. Cosby, Thornton F. Marshall, | E. Dudley Walker, |
| George Denny, L. H. Rousseau, | C. J. Walton, |
| John F. Fisk, James Simpson, | W. C. Whitaker—16. |
| William C. Gillis, | |

Those who voted in the negative, were—

| | |
|---|--------------------|
| Mr. Speaker, (Porter,) Alex. L. Davidson, | John M. Johnson, |
| William T. Anthony, J. E. Gibson, | John A. Prall, |
| Benjamin P. Cissell, Robert E. Glenn, | Albert G. Rhea—10. |
| William S. Darnaby, | |

The Senate then took up the House resolutions expressing disapprobation of the course of Ohio in reference to the rendition of a fugitive.

Mr. Walton moved to postpone said resolutions indefinitely.

The yeas and nays being required on said motion by Messrs. Irvin and Cissell, were as follows, viz:

Those who voted in the affirmative, were—

| | |
|--------------------------------------|-----------------|
| A. D. Cosby, L. H. Rousseau, | C. J. Walton—5. |
| Thornton F. Marshall, James Simpson, | |

Those who voted in the negative, were—

| | |
|---|------------------|
| Mr. Speaker, (Porter,) Alex. L. Davidson, | John M. Johnson, |
| William T. Anthony, George Denny, | Albert G. Rhea, |
| Landaff W. Andrews, John F. Fisk, | Harrison Taylor, |
| John B. Bruner, J. E. Gibson, | Cyrenius Wait, |

Charles Chambers, William C. Gillis, E. Dudley Walker,
Benjamin P. Cissell, Robert E. Glenn, W. C. Whitaker—20.
William S. Darnaby, Samuel Haycraft,

And so the Senate refused to postpone indefinitely.

Mr. Andrews moved to refer said resolutions to the Committee on Federal Relations.

The yeas and nays being required thereon by Messrs. Irvin and Cissell, were as follows, viz:

Those who voted in the affirmative, were—

Landaff W. Andrews, Samuel Haycraft, Harrison Taylor,
John B. Bruner, Thornton F. Marshall, Cyrenius Wait,
A. D. Cosby, Albert G. Rhea, E. Dudley Walker,
George Denny, L. H. Rousseau, C. J. Walton,
John F. Fisk, James Simpson, W. C. Whitaker—16.
William C. Gillis,

Those who voted in the negative, were—

Mr. Speaker, (Porter,) Benjamin P. Cissell, J. E. Gibson,
William T. Anthony, William S. Darnaby, Robert E. Glenn,
Charles Chambers, Alex. L. Davidson, John M. Johnson—9.

And so said resolutions were referred.

Mr. Gillis, from the Committee on Enrollments, reported that they had examined sundry enrolled bills originating in the Senate of the following titles, viz :

An act for the benefit of the sheriff of Grayson county.

An act for the benefit of the Bank of Louisville.

An act to amend the charter of the town of Glasgow.

An act to incorporate the Davis Presbytery of the Cumberland Presbyterian church.

An act to amend the charter of the American Printing House for the Blind.

An act to incorporate the Paris Gas-light Company.

Also House bills of the following titles, viz :

An act for the benefit of school district No. 55, in Henry county.

An act for the benefit of W. R. Maupin, justice of the peace of Montgomery county.

An act for the benefit of John W. Clay, late sheriff of Montgomery county.

An act for the benefit of Jonathan Riley.

An act fixing the time of holding the Magoffin county court.

An act to amend sections 6 and 7, chapter 88, Revised Statutes, entitled "Schools and Seminaries."

An act to amend the act in relation to the seminary lands of Lewis county.

An act to confer additional jurisdiction in certain cases.

An act authorizing the re-indexing of certain deed books by the clerk of the Graves county court.

An act for the benefit of Wm. F. Quinn.

An act to incorporate the Bloomfield Female Collegiate Institute.

An act changing a voting district in Fleming county.

An act to amend the charter of the Deposit Bank of Owensboro.

An act for the benefit of common schools in Meade county.

An act for the benefit of James Morton, of Greenup county.

An act for the benefit of school district No. 47, in Knox county, and No. 6, in Lincoln county.

An act for the benefit of the Cynthiana and Raven Creek turnpike road company.

An act for the benefit of common school districts in Meade county.

An act for the benefit of the surveyor of Monroe county.

An act changing the time of holding the county and quarterly courts in Monroe county.

An act to amend the charter of the Stanford and Lancaster turnpike road company.

An act to incorporate the Newcastle Cornet Band.

An act for the benefit of M. E. Petty, of Mercer county.

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto, and the same were returned to the committee, to be by them presented to the Governor for his approval and signature.

Under a suspension of the rules, Mr. Andrews read and laid upon the table the following joint resolution, viz :

Resolved by the General Assembly of the Commonwealth of Kentucky,
That inasmuch as both branches of the Legislature have passed a joint resolution for final adjournment on Thursday, the 4th of April, 1861, that no vote shall be taken on the passage of any bill or joint resolution after Wednesday, the 3d inst.

The rules were again suspended, and said resolution was taken up, twice read, and adopted.

And then the Senate adjourned.

WEDNESDAY, APRIL 3, 1861.

On motion of Mr. Walton, a committee was appointed to ask of the House of Representatives the return of a bill, entitled

An act to prevent the wanton destruction of fish in Green river and its tributaries.

Mr. Walton was appointed said committee, who retired, and in a short time returned, and reported that the committee had discharged the duties assigned it, and laid said bill upon the Secretary's table.

Under a suspension of the rules, said bill was taken up.

Ordered, That the vote by which the Senate passed said bill be reconsidered.

Ordered, That the vote by which the Senate dispensed with the third reading of said bill be reconsidered.

Ordered, That the vote by which the Senate ordered said bill to be read a third time be reconsidered.

Mr. Walton offered an amendment.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill being dispensed with, and the same having been engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Speaker laid before the Senate the following communication, which was read, viz:

FRANKFORT, Ky., March 27, 1861.

MY DEAR FRIENDS: In reply to your anxious inquiries respecting amendments or a reconstruction of the Constitution of the United States, I can only add, in addition to what I have heretofore written, that I believe a satisfactory reunion of the people and the States can only be accomplished upon the following basis, as a finality:

Full and ample protection to all the rights of African servitude in and among the States, and in all the Territories south of 40 degrees north latitude, or remove the line south to the parallel of the center of the Capitol at Washington, or place it on any intermediate line; the perfect right of transit on the border; and full provision for the rendition of fugitive servants. The President of the United States to be elected

alternately from the section of the Union south of said line and north of said line. All the local offices to be filled by citizens of each section and State of the Union respectively; all other officers to be selected from each section, according to the relative population of each section, with due and fair regard to dignity, salaries, &c., &c. Equal protection, as far as practicable, to all the rights and interests of the people in every section of the Union. All powers of the government to be clearly expressed, and all others expressly prohibited.

This I think the only satisfactory basis possible to be devised. If any one else will suggest a better one, none would more willingly accept it than myself.

As ever,

W. B. VICTOR.

Mr. Cissell, from the Committee on the Judiciary, to whom they had been referred, reported House bills of the following titles, viz:

An act to amend the 1st section, 17th article, of the 28th chapter, Revised Statutes, entitled "Crimes and Punishments."

An act correcting courses of patent issued to Frederick M. Mauk, of Carter county, for fifty acres of land.

An act to authorize the granting of bowling alley license in the city of Covington.

With an amendment to the last named act.

Which was adopted.

Ordered, That said bills be read a third time.

The rule of the Senate, constitutional provision, and third reading of said bills having been dispensed with, and the same having been engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Chinn, Sergeant-at-Arms, made the following report, viz:

List of Members and Officers of the Senate of Kentucky, at the called session, January, 1861, designating where born, age, occupation, and post-office.

| NAMES. | WHERE BORN. | AGE. | OCCUPATION. | POST-OFFICE. |
|------------------------------|------------------------------------|------|--------------------------------|-------------------------------------|
| Tho. P. Porter, Speaker----- | Madison county, Kentucky----- | 39 | Lawyer ----- | Versailles, Kentucky. |
| Thomas Tyler Alexander----- | Henry county, Virginia----- | 37 | Lawyer ----- | Columbia, Kentucky. |
| William T. Anthony----- | Allen county, Kentucky----- | 40 | Farmer and merchant----- | New Roe, Kentucky. |
| L. W. Andrews----- | Fleming county, Kentucky----- | 58 | Lawyer ----- | Flemingsburg, Kentucky. |
| James R. Barrick----- | Barren county, Kentucky----- | | Bard and poet----- | Glasgow, Kentucky. |
| Samuel H. Boles----- | Cumberland county, Kentucky----- | 35 | Lawyer ----- | Burksville, Kentucky. |
| John B. Bruner----- | Breckinridge county, Kentucky----- | 33 | Lawyer ----- | Hardinsburg, Kentucky. |
| Charles Chambers----- | Washington county, Kentucky----- | 58 | Farmer and lawyer ----- | Burlington, Kentucky. |
| Ben. P. Cissell----- | Union county, Kentucky----- | 39 | Lawyer ----- | Morganfield, Kentucky. |
| Albert D. Cosby----- | St. Mary's Parish, Louisiana----- | 42 | M. D. ----- | Calhoun, Kentucky. |
| William S. Darnaby----- | Fayette county, Kentucky----- | 39 | Lawyer ----- | Georgetown, Kentucky. |
| Alex. L. Davidson----- | Tazewell county, Virginia----- | 32 | Merchant ----- | West Liberty, Kentucky. |
| Samuel E. DeHaven----- | Jefferson county, Kentucky----- | 35 | Lawyer ----- | Lagrange, Kentucky. |
| Geo. Denny----- | Garrard county, Kentucky----- | 36 | Farmer ----- | Paint Lick, Kentucky. |
| John F. Fisk----- | Monroe, New York ----- | 45 | Lawyer ----- | Covington, Kentucky. |
| James Ewing Gibson----- | Lee county, Virginia----- | 46 | Farmer ----- | Booneville, Kentucky. |
| W. C. Gillis----- | Whitley county, Kentucky----- | 51 | Farmer ----- | Rockhold, Kentucky. |
| Robert E. Glenn----- | Logan county, Kentucky----- | 50 | Farmer ----- | Elkton, Kentucky. |
| Asa P. Grover----- | Massachusetts ----- | 40 | Lawyer and farmer ----- | Owenton, Kentucky. |
| Thos. S. Grundy----- | Washington county, Kentucky----- | 38 | Farmer ----- | Springfield, Kentucky. |
| Samuel Haycraft----- | Hardin county, Kentucky----- | 65 | Lawyer and horticulturist----- | Elizabethtown, Kentucky. |
| John L. Irvin----- | Calloway county, Kentucky----- | 31 | Farmer ----- | Wadesboro, Kentucky. |
| Samuel H. Jenkins----- | Henry county, Kentucky----- | 40 | Lawyer ----- | Lovelaceville, Kentucky. |
| John M. Johnson----- | Livingston county, Kentucky----- | 49 | Physician ----- | Paducah, Kentucky. |
| Thornton F. Marshall----- | Bracken county, Kentucky----- | 41 | Lawyer ----- | Augusta, Kentucky. |
| William H. McBrayer----- | Anderson county, Kentucky----- | 40 | Farmer ----- | Lawrenceburg, Kentucky. |
| C. D. Pennebaker----- | Nelson county, Kentucky----- | 36 | Lawyer ----- | Jefferson street, Louisville, Ky. |
| John A. Prall----- | Woodford county, Kentucky----- | 34 | Lawyer ----- | Paris, Kentucky. |
| William B. Read----- | Hardin county, Kentucky----- | 45 | Lawyer ----- | Hodgenville, Kentucky. |
| A. G. Rhea----- | Logan county, Kentucky----- | 36 | Lawyer ----- | Russellville, Kentucky. |
| Lovell H. Rousseau----- | Lincoln county, Kentucky----- | 41 | Lawyer ----- | Sixth street, Louisville, Kentucky. |
| Henry M. Rust----- | Loudoun county, Virginia----- | 33 | Lawyer ----- | Greenup C. H., Kentucky. |
| James Simpson----- | Ireland, Great Britain----- | 65 | Lawyer ----- | Winchester, Kentucky. |

| | | | | |
|-----------------------------------|--------------------------|---------------|----------------------|-------------------------------------|
| Lovell H. Rousseau | Lincoln county, Kentucky | 41 | Lawyer | Sixth street, Louisville, Kentucky. |
| Henry M. Rust | Loudoun county, Virginia | 33 | Lawyer | Greenup C. H., Kentucky. |
| James Simpson | Ireland, Great Britain | 65 | Lawyer | Winchester, Kentucky. |
| Harrison Taylor | Lewis county, Kentucky | 50 | Lawyer | Maysville, Kentucky. |
| Cyrenius Wait | Hampshire, Massachusetts | 57 | Merchant | Somerset, Kentucky. |
| E. Dudley Walker | Ohio county, Kentucky | 34 | Lawyer | Hartford, Kentucky. |
| C. J. Walton | Barren county, Kentucky | 37 | Physician and farmer | Monroe, Kentucky. |
| Walter C. Whitaker | Shelby county, Kentucky | Nous verrons. | Lawyer and farmer | Shelbyville, Kentucky. |
| J. Crepps Wickliffe, Clerk | Nelson county, Kentucky | 30 | Lawyer | Bardstown, Kentucky. |
| J. H. Johnson, Assistant Clerk | Vermont | 30 | Editor | Frankfort, Kentucky. |
| Morgan B. Chinn, Sergeant-at-Arms | Fayette county, Kentucky | 59 | Stable Keeper | Frankfort, Kentucky. |
| Thos. Pearce, Door-keeper | Virginia | 65 | Post-master | Newcastle, Kentucky. |
| Charles T. Campbell, Page | Fayette county, Kentucky | 16 | Boy | Frankfort, Kentucky. |
| John W. Pruett, jr., Page | Frankfort, Kentucky | 14 | School boy | Frankfort, Kentucky. |

Bills of the following titles were reported, viz :

By Mr. Cissell, from the Committee on the Judiciary—

1. A bill for the benefit of M. Lisk, of Hopkins county.

By Mr. Fisk, from the Committee on Education—

2. A bill amending the charter of the University of Paducah.

By Mr. Fisk, from the Committee on Revised Statutes—

3. A bill to prevent the importation of infected cattle, and cattle spreading infection.

Which were read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bills having been dispensed with,

Ordered, That the 3d be laid on the table, and that the 1st and 2d be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of said bills having been dispensed with, and the same having been engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Fisk, from the Committee on Revised Statutes, to whom they had been referred, reported House bills of the following titles, with amendments to said bills, viz :

An act relating to the courts held in the city of Newport.

An act to legalize the acts of the town marshal of Ghent.

Which were adopted.

An act to amend the 16th section, article 12, chapter 83, Revised Statutes.

Ordered, That said bills be read a third time.

The rule of the Senate, constitutional provision, and third reading of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

By same—

An act for the benefit of Elizabeth Wilkinson.

Ordered, That said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill being dispensed with,

The question was taken on the passage of said bill.

The yeas and nays being required thereon by Messrs. Taylor and Fisk, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|--------------------|-----------------------|-------------------|
| A. L. Davidson, | Robert E. Glenn, | C. D. Pennebaker, |
| John F. Fisk, | Samuel H. Jenkins, | L. H. Rousseau, |
| J. E. Gibson, | John M. Johnson, | Henry M. Rust, |
| William C. Gillis, | Thornton F. Marshall, | Cyrenius Wait—12. |

Those who voted in the negative, were—

| | | |
|---|--------------------|--------------------|
| Mr. Speaker, (Porter,) Benjamin P. Cissell, | James Simpson, | |
| William T. Anthony, | Samuel E. DeHaven, | Harrison Taylor, |
| Landaff W. Andrews, | Samuel Haycraft, | W. C. Whitaker—11. |
| John B. Bruner, | Albert G. Rhea, | |

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

By same—

A bill for the benefit of Jonathan Singer and his wife Annie, and their children, Charles, Richie, Joseph, John, Samuel, Bushrod, Robert, and Annie.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That Jonathan Singer and his wife Annie, and their children, Charles, Richie, Joseph, John, Samuel, Bushrod, Robert, and Annie, residents of the county of Kenton, shall be permitted to leave the State of Kentucky and return thereto, from time to time, without incurring the penalties prescribed by the act approved March 3d, 1860, entitled "An act concerning free negroes, mulattoes, and emancipation."

§ 2. That this act shall take effect from its passage.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bill having been dispensed with,

Mr. Whitaker offered the following amendment by way of a substitute, viz;

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That it shall be the duty of the sheriffs and constables of the counties, and the police officers of the cities and towns, of this State, to take up and have prosecuted all negroes violating the provisions of an act, entitled "An act concerning free negroes, mulattoes, and emancipation," approved March 3d, 1860; and shall have as a compensation for his services in bringing all such offenders to trial, if they be found guilty, fifty dollars for each arrest and trial, to be paid by the negro so tried and found guilty; which shall be part of the punishment inflicted on such negro, in addition to what is prescribed by

the law to which this is an amendment; or in lieu, to be made by making such negroes labor at twenty cents per diem in the penitentiary of this State; unless the party entitled to the reward shall choose to take him after his term of punishment has expired in the penitentiary, and take his labor at one dollar per day until it is paid. This shall not inhibit any negro from paying said fifty dollars in money.

§ 2. This act to take effect from its passage.

Mr. Irvan moved to lay said bill and amendment on the table.

The yeas and nays being required thereon by Messrs. Johnson and Irvan, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|-------------------------------|-----------------------|----------------------|
| William T. Anthony, | Robert E. Glenn, | James Simpson, |
| Landaff W. Andrews | Samuel Haycraft, | Harrison Taylor, |
| John B. Bruner, | John L. Irvan, | Cyrenius Wait, |
| Samuel E. DeHaven, | John M. Johnson, | E. Dudley Walker—14. |
| George Denny, | Thornton F. Marshall, | |

Those who voted in the negative, were—

| | | |
|------------------------|-------------------|--------------------|
| Mr. Speaker, (Porter.) | J. E. Gibson, | Henry M. Rust, |
| Benjamin P. Cissell, | C. D. Pennebaker, | C. J. Walton, |
| Alex. L. Davidson, | Albert G. Rhea. | W. C. Whitaker—11. |
| John F. Fisk, | L. H. Rousseau, | |

And so said bill was laid on the table.

The Senate then, under a suspension of the rules, took up for consideration a bill from the House of the following title, viz:

An act for the benefit of Fanny Cerf.

The question being taken on the passage thereof, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Rust and Simpson, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|--------------------|-----------------------|----------------------|
| A. D. Cosby, | Robert E. Glenn, | L. H. Rousseau, |
| Alex. L. Davidson, | Samuel Haycraft, | Henry M. Rust, |
| John F. Fisk, | John M. Johnson, | Cyrenius Wait, |
| J. E. Gibson, | Thornton F. Marshall, | E. Dudley Walker—14. |
| William C. Gillis, | Chas. D. Pennebaker, | |

Those who voted in the negative, were—

| | | |
|-------------------------------|--------------------|--------------------|
| Mr. Speaker, (Porter.) | Samuel E. DeHaven, | Harrison Taylor, |
| William T. Anthony, | George Denny, | C. J. Walton, |
| Landaff W. Andrews | Albert G. Rhea, | W. C. Whitaker—11. |
| John B. Bruner, | James Simpson, | |

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

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Mr. Cissell, from the committee of conference upon the matter of disagreement between the two Houses upon a House bill of the following title, viz:

An act legalizing the conveyance made to R. S. C. Alexander for lands on the waters of Green river,

Reported that, in the opinion of the committee, the Senate ought to recede from its amendment to said bill.

Ordered, That said report be concurred in.

Mr. Cissell, from the Committee on the Judiciary, reported a bill entitled "An act to amend the Civil Code of Practice."

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the 670th section of the Civil Code of Practice be so amended as to read as follows: A party to an action or proceeding may be examined as a witness in his own behalf the same as any other witness; but such examination shall not be had, nor shall any other person for whose immediate benefit the same is prosecuted or defended, be so examined, unless the adverse party or person in interest is living, nor when the adverse party shall be the assignee, administrator, executor, or legal representative of a deceased person, nor unless ten days' notice of such intended examination of the party or person interested, specifying the points upon which such party or person intended to be examined, shall be given in writing to the adverse party; except, that in special proceedings of a summary nature, such reasonable notice of such intended examination shall be given as shall be prescribed by the judge or court before whom the matter is pending; and except further, that in all actions and proceedings that may be pending in the Jefferson county court, and in the county courts, quarterly courts, and justices' courts of the Commonwealth, such notice shall be given three days before such examination is intended to be had, and the notice so given shall be taken as sufficient, without specifying the points on which the party giving the notice intends to be examined; and when notice of such intended examination shall be given, in an action or proceeding in which the opposite party or person in interest shall reside out of the jurisdiction of the court, such party or person may be examined as other witnesses may by law be examined now. And whenever a party or person in interest has been examined, under the provisions of this act, the opposite party or person in interest may offer himself as a witness in his own behalf, and shall be received. When an assignor of a thing in action or contract is examined as a witness, in behalf of any person deriving title from or through him, the adverse party or person in interest may be a witness to the same matters in his own behalf, and also to any matters that may tend to discharge him from any liability that the testimony of the assignor tends to fix upon him. But such assignor shall not be admitted to be examined in behalf of any person deriving title from or through him, against an assignee, administrator, or executor, unless the other party

to such contract or thing in action, whom the plaintiff or defendant represents, is living, and his testimony may be procured for such examination; nor unless at least ten days' notice of such intended examination of the assignor, specifying the points upon which he is intended to be examined, shall be given in writing to the adverse party, except, that ten days' notice in such cases shall not be required in actions or proceedings in the inferior courts herein before named; but the notice in those courts shall be in writing, and shall be given for three days only, and the points upon which such examination is intended to be had need not be specified.

§ 2. This act to be in force immediately.

Mr. DeHaven moved to lay said bill on the table.

The yeas and nays being required on said motion by Messrs. DeHaven and Denny, were as follows, viz:

Those who voted in the affirmative, were—

| | |
|--|-----------------------|
| Mr. Speaker, (Porter,) George Denny, | Thornton F. Marshall, |
| William T. Anthony, J. E. Gibson, | Albert G. Rhea, |
| Landaff W. Andrews, William C. Gillis, | Cyrenius Wait, |
| John B. Bruner, Robert E. Glenn, | C. J. Walton, |
| Alex. L. Davidson, Samuel Haycraft, | W. C. Whitaker—17. |
| Samuel E. DeHaven, John L. Irvan, | |

Those who voted in the negative, were—

| | | |
|----------------------|----------------------|--------------------|
| Benjamin P. Cissell, | Chas. D. Pennebaker, | Henry M. Rust, |
| John F. Fisk, | L. H. Rousseau, | Harrison Taylor—6. |

And so said bill was laid on the table.

A message was received from the House of Representatives, announcing that they had passed bills of the following titles, viz:

An act supplemental to an act, entitled "An act for the appropriation of money," approved February 11, 1861.

An act allowing Larue county two additional magistrates and a constable.

An act to authorize the sale of slaves whose sentences have been commuted and who have been pardoned.

An act to change the county lines of Rockcastle and Jackson counties.

An act to make Georgiana Davenport, Mary Benton, and Henrietta Benton the heirs at law of James Ford.

An act explanatory of an act approved February 15, 1860, entitled "An act providing for a settlement with Newton Craig, late keeper of the penitentiary."

An act to amend the law in relation to husband and wife.

An act for the benefit of John Friend.

An act for the benefit of Daniel Roberts, sheriff of Rockcastle county.

An act for the benefit of school district No. 67, in Hardin county.

An act for the benefit of E. B. Bartlett, late clerk of the Kenton circuit court.

An act for the benefit of the town of Winchester.

An act in relation to county court clerks.

An act to incorporate Campbellsburg Mutual Insurance Company.

An act for the benefit of the Shelbyville and Westport turnpike road company.

An act to incorporate the town of Linton, in Trigg county.

An act to amend an act to incorporate the town of Providence.

An act to incorporate the Harmonia Benevolent Society of Louisville.

An act for the benefit of Elizabeth Wilkenson.

An act for the benefit of W. B. Wood, of Pulaski county.

An act changing the time of holding the equity and criminal courts of Hickman and Fulton counties.

An act for the benefit of the Hart county court.

An act allowing the county court of Hickman county to increase the county levy.

An act to incorporate Loving Lodge, No. 323, of Free and Accepted Masons.

An act to incorporate Hickman Lodge, No. 7, I. O. O. F.

An act to incorporate the town of Slaughterville, in the county of Webster.

An act to change the voting place in the Tate district, in Casey county.

And refused to concur in Senate amendments to a bill of the following title, viz:

An act to amend an act, entitled "An act for the improvement of Licking River," approved March 1, 1860.

Resolutions ratifying amendments proposed by Congress to the Constitution of the United States.

Resolution fixing a day for final adjournment of the Legislature.

And that they had passed Senate bills of the following titles, viz:

An act for the benefit of common school district No. 37, in Ballard county.

An act to amend an act approved February 11, 1860, in reference to school district No. 1, in Rockcastle county.

An act for the benefit of common school commissioner of Daviess county.

An act for the purpose of authorizing a suit against the State of Kentucky in favor of certain parties.

An act to distribute books to certain counties.

An act to amend the charter of the town of Cadiz.

An act for the benefit of William J. Sallee, of Pulaski county.

An act to amend the charter of Edmonton.

An act to amend the charter of the Portland Savings Bank.

An act for the benefit of Charles J. Clarke, late clerk of the Louisville chancery court.

An act to amend the charter of the North Middletown and Levy turnpike road company.

An act to amend the charter of the Lexington and Southern Kentucky railroad company.

An act declaring Salt Lick creek, in Lewis county, a navigable stream.

An act to amend the charter of the Elizaville and Pleasant Valley turnpike road company.

An act to amend an act, entitled "An act authorizing the county courts of Meade and Breckinridge to change a State road."

An act to create an additional magistrates' district and election precinct in Breckinridge county.

An act to amend the charter of the Paducah Fire, Marine, and Life Insurance Company.

An act to incorporate the town of Nebo, in Hopkins county.

An act authorizing the trustees of Winchester to close an alley.

An act for the benefit of Alfred C. Tanner, clerk of McLean county.

An act for the benefit of Elisha L. Siler.

An act for the purpose of authorizing suit against the State of Kentucky in favor of certain parties.

An act for the purpose of preventing judges of quarterly and county courts from practicing law in certain courts of their counties.

An act to amend the charter of the Lexington and Southern Kentucky railroad company.

And that they had passed a Senate bill of the following title, with amendments, viz:

An act to change the Metcalfe county line.

And that they adhered to their amendment to a Senate bill of the following title, viz :

An act concerning the counties of Carter, Lawrence, Boyd, Greenup, and Ohio.

And asked for a committee of conference upon said matter of disagreement.

Messrs. Rust, Walker, and Walton were appointed as a committee of conference on the part of the Senate, who retired, and in a short time a message was received from the House of Representatives, announcing that they receded from their amendment to said bill, and that they had rejected Senate bills of the following titles, viz :

An act to amend an act, entitled "An act in relation to the duties of clerks of courts," approved March 2d, 1860.

An act to change the time of assessing taxable property.

An act to amend section 9, article 3, chapter 91, of the Revised Statutes.

An act concerning the jurisdiction of the quarterly court of Bourbon county.

Under a suspension of the rules, the Senate took up for consideration a bill of the House of Representatives, of the following title, viz :

An act supplemental to an act, entitled "An act for the appropriation of money," approved February 11, 1861.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bill being dispensed with,

Ordered, That said bill be referred to the Committee on Finance, with instructions to report this afternoon, at 3½ o'clock.

Mr. Andrews, from the Committee on the Judiciary, reported a House bill of the following title, viz :

An act for the benefit of the proprietors and lessees of Mammoth Cave.

Said bill was read a third time.

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

By same—

A bill entitled "An act to allow circuit court clerks certain fees in felony cases."

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That circuit court clerks in this Commonwealth, in prosecutions for felony under the criminal laws of this Commonwealth, shall hereafter be entitled to the following fees when the services are rendered, to be allowed, certified, and paid as sheriffs' fees are allowed and paid in criminal cases, viz: For filing indictment, ten cents; for order for bench warrant, twenty-five cents; for issuing bench warrant and entering returns, twenty-five cents; for docketing case at each term, ten cents; for each subpœna, (including all the witnesses then demanded,) at one term, twenty cents; for all orders made in the case, including trial, swearing the jury, entering judgment, and filing papers, one dollar; for copy of record upon conviction, one dollar; for each allowance to witnesses, including all who are allowed at the same term in same cause, and certifying same, twenty-five cents; for each recognizance taken in the case, twenty-five cents.

§ 2. This act shall take effect from the date of its passage.

With the following amendment, viz:

Provided, however, That after the first term of the court at which an indictment has been found, no fees shall be allowed to the clerks, unless the attorney for the Commonwealth shall have made a memorandum directing the same to be rendered.

Which was adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill being dispensed with, and the same having been engrossed,

The question was taken on its passage.

The yeas and nays being required thereon by Messrs. Taylor and Johnson, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---------------------|-----------------------|-------------------|
| Landaff W. Andrews, | William C. Gillis, | Albert G. Rhea, |
| John B. Bruner, | Samuel Haycraft, | L. H. Rousseau, |
| A. D. Cosby, | Thornton F. Marshall, | James Simpson, |
| John F. Fisk, | C. D. Pennebaker, | Cyrenius Wait—12. |

Those who voted in the negative, were—

| | |
|---------------------------------------|------------------|
| Mr. Speaker, (Porter,) George Denny, | John M. Johnson, |
| William T. Anthony, J. E. Gibson, | Henry M. Rust, |
| Benjamin P. Cissell, Robert E. Glenn, | Harrison Taylor, |
| Samuel E. DeHaven, John L. Irvan, | C. J. Walton—12. |

And so said bill was rejected.

The Senate then, according to special order, resumed the considera-

tion of the resolutions concerning the navigation of the Mississippi river.

Ordered, That the further consideration of said resolutions be postponed until this afternoon, at 4 o'clock.

Bills of the following titles were reported, viz:

By Mr. Whitaker, from the Committee on Circuit Courts—

A bill to amend an act concerning free negroes, mulattoes, and emancipation.

By Mr. Fisk, from the Committee on the Revised Statutes—

An act for the benefit of school district No. 62, in Adair county.

An act for the benefit of Geo. W. Lewis, Samuel C. Sayres, John M. Todd, and Wm. D. Robertson.

Which were read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bills having been dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of said bills having been dispensed with, and the same having been engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

According to special order, Mr. DeHaven, from the Committee on Finance, reported a bill of the following title, viz:

An act supplemental to an act, entitled "An act for the appropriation of money," approved February 11, 1861,

With the following amendments, viz:

To D. C. Barrett, fifty dollars, each, for making out index for Journals of two Houses, and index to private acts of this extra session.

To S. C. Bull, two dollars and fifty cents.

Amend the 19th section, by adding the following words: "in full of his services as clerk of said committee."

Which were adopted.

Mr. Gillis offered the following amendment, viz:

That the sum of \$1 50 be allowed John J. Roberts, for the purchase of a book for the Committee on Enrollments.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The rule of the Senate, constitutional provision, and third reading of said bill having been dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

| | | |
|------------------------|-----------------------|--------------------|
| Mr. Speaker, (Porter.) | J. E. Gibson, | L. H. Rousseau, |
| Landaff W. Andrews, | William C. Gillis, | Henry M. Rust, |
| John B. Bruner, | Robert E. Glenn, | James Simpson, |
| Benjamin P. Cissell, | Samuel Haycraft, | Harrison Taylor, |
| Alex. L. Davidson, | John L. Irvan, | Cyrenius Wait, |
| Samuel E. DeHaven, | Thornton F. Marshall, | E. Dudley Walker, |
| George Denny, | C. D. Pennebaker, | C. J. Walton, |
| John F. Fisk, | Albert G. Rhea, | W. C. Whitaker—24. |

In the negative—none.

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The proceedings of the Senate in further legislative business were here interrupted by Mr. Rousseau, who, on behalf of the members and offices of the Senate, presented to the Hon. T. P. Porter, Speaker, a cane, as a slight testimonial of their esteem for him as their presiding officer.

Messrs. Denny and Walton moved to reconsider the vote by which the Senate laid on the table a House bill of the following title, viz :

An act to amend the charters of the several banks of issue.

Which was adopted.

Under a suspension of the rule, the Senate then took up said bill for consideration.

Ordered, That the Senate reconsider the vote by which said bill was laid on the table.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Irvan and Denny, were as follows, viz :

Those who voted in the affirmative, were—

| | | |
|---------------------|-------------------|--------------------|
| William T. Anthony, | John L. Irvan, | Albert G. Rhea, |
| A. D. Cosby, | S. H. Jenkins, | L. H. Rousseau, |
| William C. Gillis, | J. M. Johnson, | Cyrenius Wait, |
| Robert E. Glenn, | C. D. Pennebaker, | W. C. Whitaker—13. |
| Samuel Haycraft, | | |

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Those who voted in the negative, were—

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| Mr. Speaker, (Porter,) George Denny, | James Simpson, |
| Landaff W. Andrews, J. E. Gibson, | Harrison Taylor, |
| John B. Bruner, | Thornton F. Marshall, E. Dudley Walker, |
| A. L. Davidson, | Henry M. Rust, C. J. Walton—12. |

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate then, according to general order, took up for consideration a House bill of the following title, viz:

An act to authorize the sale of slaves whose sentences have been commuted, and who have been pardoned.

Which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bill having been dispensed with,

Ordered, That said bill be referred to the Committee on Penitentiary.

Mr. Andrews read and laid upon the table the following joint resolution, viz :

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Sergeant-at-Arms be directed, under advice and directions of the Governor, to construct a urinal at or near the foot of the stairway leading to the dome of this capitol, or at some other suitable place; the pipes to be discharged into a well, or in such other manner as may be deemed best; and that the necessary approaches by doorways be constructed, so as to render it convenient of access; at a cost not to exceed \$95: and report at the next meeting of the Legislature.

Under a suspension of the rules said resolution was taken up, twice read, and adopted.

The Senate then, according to special order, resumed the consideration of the resolutions concerning the navigation of the Mississippi river.

Mr. Rhea moved to postpone until to-morrow, at 12 o'clock, M.

The yeas and nays being demanded on said motion by Messrs. Rousseau and Rust, were as follows, viz:

Those who voted in the affirmative, were—

| | |
|---|-------------------|
| Mr. Speaker, (Porter,) William C. Gillis, | John M. Johnson, |
| William T. Anthony, Robert E. Glenn, | Albert G. Rhea, |
| Alex. L. Davidson, John L. Irvan, | Henry M. Rust—10, |
| J. E. Gibson, | |

Those who voted in the negative, were—

| | | |
|---------------------|-----------------------|--------------------|
| Landaff W. Andrews, | Thornton F. Marshall, | Harrison Taylor, |
| John B. Bruner, | Chas. D. Pennebaker, | E. Dudley Walker, |
| John F. Fisk, | L. H. Rousseau, | C. J. Walton, |
| Samuel Haycraft, | James Simpson, | W. C. Whitaker—12. |

Messrs. Whitaker and Rousseau moved the previous question.

And the question being taken, “Shall the main question be now put?” it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Anthony and Irvan, were as follows, viz :

Those who voted in the affirmative, were—

| | | |
|---------------------|-----------------------|--------------------|
| Landaff W. Andrews, | John M. Johnson, | James Simpson, |
| John B. Bruner, | Thornton F. Marshall, | Cyrenius Wait, |
| John F. Fisk, | Chas. D. Pennebaker, | E. Dudley Walker, |
| William C. Gillis, | L. H. Rousseau, | W. C. Whitaker—13. |
| Samuel Haycraft, | | |

Those who voted in the negative, were—

| | |
|--------------------------------------|-----------------|
| Mr. Speaker, (Porter,) J. E. Gibson, | Albert G. Rhea, |
| W. T. Anthony, Robert E. Glenn, | Henry M. Rust, |
| Alex. L. Davidson, John L. Irvan, | C. J. Walton—9. |

The question was then taken on the substitute offered by Mr. Cissell, which is as follows, viz :

1. *Resolved by the General Assembly of the Commonwealth of Kentucky,* That, in the opinion of this General Assembly, it is of the most vital importance to the commercial interest of the people of Kentucky that the navigation of the Mississippi river and its tributaries should continue free and unmolested, and she protests against any attempt to obstruct or prohibit the free navigation thereof; and she believes that more can be done to continue the enjoyment of such right by conciliation, and the cultivation of friendly relations with every portion of our common country, than by threats or any attempt at coercion; and this General Assembly is gratified to learn that the convention of Louisiana, by unanimous vote, has recognized that right to all friendly States.

2. *Resolved,* That this General Assembly has learned that certain of the free States have passed laws declaring the absolute freedom of negro slaves upon touching their soil; and others have passed laws virtually denying to the citizens of the slave States the right of transit through such States with their slaves, as well as laws denying to citizens of slave States the use of jails, in cases of arrest under the fugitive slave law; and that the Governor of Ohio, in contravention to the Federal Constitution, and the laws passed in pursuance thereof, as expounded recently by the Supreme Court of the United States, has refused, and still refuses, to surrender a fugitive from justice upon requisition by the Executive of this State; and that a party is organized in the free States to resist, by violence, the execution of federal laws;

and these "rights being of vital importance to the people of Kentucky, and the people of her sister slave States, Kentucky feels it her duty to herself and her sister Southern States, at the earliest day to make this, her most solemn protest, against any" and all such unjust and iniquitous legislation and conduct on the part of such free States and the Executive of Ohio.

AND WHEREAS, We have received information that the Federal Government contemplates sending additional troops to the Newport barracks, in this State ; therefore,

1. *Resolved*, That Kentucky earnestly and solemnly protests against such action on the part of the Federal Government as tending to defeat efforts for peaceable adjustment, and still further to complicate existing difficulties, and will be regarded by her as an evidence of hostility to the peace and quiet of our citizens, and as intended to destroy and subvert the liberties of our people.

2. *Resolved*, That the Governor be directed to communicate the foregoing resolutions to the Executives of the different States, and to the President of the United States.

A division of the propositions being demanded,

The question was taken on adopting the first resolution.

The yeas and nays being required thereon by Messrs. Irvan and Anthony, were as follows, viz :

Those who voted in the affirmative, were—

| | |
|--------------------------------------|------------------|
| Mr. Speaker, (Porter,) J. E. Gibson, | Albert G. Rhea, |
| William T. Anthony, Robert E. Glenn, | Henry M. Rust, |
| Alex. L. Davidson, John L. Irvan, | C. J. Walton—11. |
| John F. Fisk, John M. Johnson, | |

Those who voted in the negative, were—

| | |
|---|-------------------|
| Landaff W. Andrews, Samuel Haycraft, | L. H. Rousseau, |
| John B. Bruner, Thornton F. Marshall, | James Simpson, |
| William C. Gillis, Chas. D. Pennebaker, | W. C. Whitaker—9. |

The yeas and nays being demanded on the adoption of the second resolution by Messrs. Anthony and Irvan, were as follows, viz :

Those who voted in the affirmative, were—

| | |
|--|--------------------|
| Mr. Speaker, (Porter,) Robert E. Glenn, | L. H. Rousseau, |
| William T. Anthony, Samuel Haycraft, | Henry M. Rust, |
| Landaff W. Andrews, John L. Irvan, | James Simpson, |
| John B. Bruner, John M. Johnson, | Cyrenius Wait, |
| Alex. L. Davidson, Thornton F. Marshall, | E. Dudley Walker, |
| John F. Fisk, Chas. D. Pennebaker, | C. J. Walton, |
| J. E. Gibson, Albert G. Rhea, | W. C. Whitaker—22. |
| William C. Gillis, | |

In the negative—none.

The yeas and nays being demanded on the third resolution by Messrs. Anthony and Irvan, were as follows, viz :

Those who voted in the affirmative, were—

| | |
|---|------------------|
| Mr. Speaker, (Porter,) Alex. L. Davidson, | John L. Irvan, |
| William T. Anthony, J. E. Gibson, | Henry M. Rust—6. |

Those who voted in the negative, were—

| | |
|---------------------------------------|--------------------|
| Landaff W. Andrews, John M. Johnson, | James Simpson, |
| John B. Bruner, Thornton F. Marshall, | Cyrenius Wait, |
| John F. Fisk, C. D. Pennebaker, | E. Dudley Walker, |
| William C. Gillis, Albert G. Rhea. | C. J. Walton, |
| Robert E. Glenn, L. H. Rousseau, | W. C. Whitaker—16. |
| Samuel Haycraft, | |

The fourth resolution was adopted by a unanimous vote.

The question was then taken on the adoption of the substitute as amended, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Andrews and Bruner, were as follows, viz:

Those who voted in the affirmative, were—

| | |
|--------------------------------------|------------------|
| Mr. Speaker, (Porter,) J. E. Gibson, | John M. Johnson, |
| William T. Anthony, Robert E. Glenn, | Henry M. Rust—8. |
| Alex. L. Davidson, John L. Irvan, | |

Those who voted in the negative, were—

| | |
|--|--|
| Landaff W. Andrews, Thornton F. Marshall, Cyrenius Wait, | |
| John B. Bruner, Chas. D. Pennebaker, E. Dudley Walker, | |
| John F. Fisk, Albert G. Rhea, C. J. Walton, | |
| William C. Gillis, L. H. Rousseau, W. C. Whitaker—14. | |
| Samuel Haycraft, James Simpson, | |

And so said substitute, as amended, was rejected.

Mr. Rhea offered the following substitute for the resolutions offered by Mr. Rousseau, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That whilst Kentucky deeply deplores the existence of difficulties which may terminate in a dismemberment of the union of the thirty-four States, and is anxious for an adjustment on such terms as will restore quiet and tranquility, and re-establish confidence and good will amongst all the citizens and States of our once happy country; yet she cannot, in justice to herself and the interest of her citizens, in any event, consent to be deprived of the free, full, and unobstructed navigation of the Mississippi river from its head waters to the Gulf of Mexico, as well as its tributaries.

The yeas and nays being demanded on said amendment by Messrs. Rhea and Pennebaker, were as follows, viz:

Those who voted in the affirmative, were—

| | |
|--------------------------------------|------------------|
| Mr. Speaker, (Porter,) J. E. Gibson, | John M. Johnson, |
| William T. Anthony, Robert E. Glenn, | Albert G. Rhea, |
| Alex. L. Davidson, John L. Irvan, | Henry M. Rust—9. |

Those who voted in the negative, were—

| | | |
|---------------------|-----------------------|--------------------|
| Landaff W. Andrews, | Samuel Haycraft, | James Simpson, |
| John B. Bruner, | Thornton F. Marshall, | Cyrenius Wait, |
| John F. Fisk, | Chas. D. Pennebaker, | E. Dudley Walker, |
| William C. Gillis, | L. H. Rousseau, | W. C. Whitaker—12. |

The question was then taken on adopting the first resolution offered by Mr. Rousseau.

The yeas and nays being required thereon by Messrs. Fisk and Pennebaker, were as follows, viz:

Those who voted in the affirmative, were—

| | |
|---|--------------------|
| Mr. Speaker, (Porter,) Robert E. Glenn, | Albert G. Rhea, |
| William T. Anthony, Samuel Haycraft, | L. H. Rousseau, |
| Landaff W. Andrews, John L. Irvan, | James Simpson, |
| John B. Bruner, Samuel H. Jenkins, | Cyrenius Wait, |
| A. L. Davidson, John M. Johnson, | E. Dudley Walker, |
| John F. Fisk, Thornton F. Marshall, | C. J. Walton, |
| J. E. Gibson, C. D. Pennebaker, | W. C. Whitaker—22. |
| William C. Gillis, | |

In the negative—none.

The yeas and nays were demanded on the adoption of the second resolution, by Messrs. Rousseau and Andrews, and were as follows, viz:

Those who voted in the affirmative, were—

| | |
|---------------------------------------|--------------------|
| Landaff W. Andrews, S. H. Jenkins, | James Simpson, |
| John B. Bruner, J. M. Johnson, | Cyrenius Wait, |
| A. L. Davidson, Thornton F. Marshall, | E. Dudley Walker, |
| John F. Fisk, C. D. Pennebaker, | C. J. Walton, |
| William C. Gillis, Albert G. Rhea, | W. C. Whitaker—17. |
| Samuel Haycraft, L. H. Rousseau, | |

Those who voted in the negative, were—

| | |
|--------------------------------------|------------------|
| Mr. Speaker, (Porter,) J. E. Gibson, | John L. Irvan—5. |
| William T. Anthony, Robert E. Glenn, | |

The third resolution was then unanimously adopted.

The preamble was then adopted.

And then the Senate adjourned.

THURSDAY, APRIL 4, 1861.

Mr. Fisk offered the following resolution, viz :

Resolved, That the Public Printer forthwith print 2,000 copies of the act to authorize the election of delegates to the border slave State Convention, to be held in Frankfort; and that the Secretary of State immediately transmit by mail to the sheriff and clerk of the county court of each county a sufficient number of the same to supply each voting precinct in the county with a copy thereof.

Which was adopted.

A message was received from the House of Representatives, announcing that they had passed bills of the following titles, viz :

An act for the benefit of the sheriffs of Greenup and Lawrence counties.

An act for the benefit of Stephen J. England, late sheriff of Carter county.

And that they had received official information from the Governor that he had signed and approved bills originating in the House of Representatives, of the following titles, viz :

An act to amend the charter of the city of Lexington.

An act to amend the charter of the Paris and Bethlehem turnpike road company.

An act to amend the charters of the towns of New Haven and Bloomfield, and for the benefit of the marshal of Smithland.

An act for the benefit of H. B. Bohannon and Francis M. Potts.

An act to amend the charter of the Deposit Bank of Owensboro.

An act to amend the charter of the Stanford and Lancaster turnpike road company.

An act for the benefit of common school districts in Meade county.

An act changing the time of holding the county and quarterly courts in Monroe county.

An act for the benefit of the surveyor of Monroe county.

An act for the benefit of common schools in Meade county.

An act for the benefit of James Morton, of Greenup county.

An act for the benefit of the Cynthiana and Raven Creek turnpike road company.

An act for the benefit of school district No. 47, in Knox county, and No. 6, in Lincoln county.

An act to amend an act to incorporate the town of Grayson, in Carter county.

An act in relation to the town of Greenupsburg.

An act in relation to roads and bridges in Greenup county.

An act for the benefit of the Boone county court.

An act to incorporate the Bloomfield Collegiate Institute.

An act to incorporate the Newcastle Cornet Band.

An act for the benefit of school district No. 55, in Henry county.

An act for the benefit of Wm. F. Quinn.

An act to confer additional jurisdiction in certain cases.

An act for the benefit of W. R. Maupin, justice of the peace of Montgomery county.

An act to amend sections 6 and 7, chapter 88, Revised Statutes, entitled "Schools and Seminaries."

An act for the benefit of John W. Clay, late sheriff of Montgomery county.

An act to amend the act in relation to the seminary lands of Lewis county.

An act fixing the time of holding the Magoffin county court.

An act for the benefit of Jonathan Riley.

An act authorizing the re-indexing of certain deed books by the clerk of the Graves county court.

An act changing a voting district in Fleming county.

Also, Senate bills of the following titles, viz:

An act to change the time of holding the Larue county court.

An act for the benefit of James D. Ballard.

An act to amend the charter of the Falls City Marine Institute.

An act for the benefit of N. G. Stanley.

An act to authorize the county judge of Garrard county to change the place of voting in district No. 1.

An act for the benefit of Thomas Landrum and Henry Griffith, late sheriffs of McLean county.

An act to amend the charter of the town of Hammonsville, in Hart county.

An act for the benefit of the Christian church at Parker's stand.

An act to amend the charter of the Kentucky Mechanics' Institute of Louisville.

An act to amend the charter of the Galt House Company.

An act authorizing the transcript of certain records, and making indexes in the county court clerk's office of Rockcastle.

An act to incorporate the Paris Gas-light Company.

An act to amend the charter of Uniontown.

An act incorporating Roaring Spring, in Trigg county.

An act to incorporate Clarke Lodge, No. 51, A. Y. M., of Louisville.

An act to incorporate the Davis Presbytery of the Cumberland Presbyterian church.

An act to define the southern tax limits of the city of Louisville.

An act for the benefit of school district No 11, in Owsley county.

An act for the benefit of school district No. 10, in Harlan county.

An act to provide for the election of delegates to a convention to be held at Frankfort.

An act for the benefit of the sheriff of Grayson county.

An act to amend the charter of the town of Glasgow.

An act for the benefit of the Bank of Louisville.

An act to amend the charter of the American Printing House for the Blind.

The Senate then, under a suspension of the rules, proceeded to consider House bills of the following titles, viz :

1. An act for the benefit of school district No. 67, in Harrison county.
2. An act for the benefit of the sheriffs of Greenup and Lawrence counties.
3. An act for the benefit of Stephen J. England, late sheriff of Carter county.
4. An act allowing Larue county two additional magistrates and a constable.
5. An act to change the county lines of Jackson and Rockcastle counties.
6. An act to make Georgiana Davenport, Mary Benton, and Henrietta Benton, the heirs at law of James Ford.
7. An act for the benefit of John Friend.
8. An act explanatory of an act approved February 15, 1860, entitled "An act providing for a settlement with Newton Craig, late keeper of the penitentiary."
9. An act to amend the law in relation to husband and wife.
10. An act for the benefit of Daniel Roberts, sheriff of Rockcastle county.

11. An act for the benefit of E. B. Bartlett, late clerk of Kenton circuit court.

12. An act for the benefit of the town of Winchester.

13. An act in relation to county court clerks.

Which were read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of said bills having been dispensed with,

Ordered, That the 9th be laid on the table, that the 12th be rejected, and that the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 10th, 11th, and 13th be read a third time.

The rule of the Senate, constitutional provision, and third reading of said bills having been dispensed with, and the same having been engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Governor, by the hands of Hon. T. B. Monroe, jr., Secretary of State, informing the Senate that he had approved and signed bills of the following titles, viz:

An act to prevent judges of the quarterly and county courts from practicing law in certain courts of their counties.

An act for the benefit of Alf. C. Tanner, county clerk of McLean county.

An act authorizing the trustees of Winchester to close an alley.

An act for the benefit of Elisha L. Siler.

An act for the purpose of authorizing a suit against the State of Kentucky in favor of certain parties.

An act to amend the charter of the Lexington and Southern Kentucky railroad company.

An act for the benefit of Henry Lucas.

An act for the benefit of the counties of Shelby and Spencer.

An act to amend an act, entitled "An act authorizing the county courts of Meade and Breckinridge to change a State road."

An act to amend the charter of the Paducah Fire, Marine, and Life Insurance Company.

An act to incorporate the town of Nebo, in Hopkins county.

An act to incorporate Tuiske Lodge of Ancient German Order of Harugari, No. 68.

- An act to incorporate Germania Lodge, No. 63, of Ancient German Order of Harugari.
- An act regulating the July term of the Mason circuit court.
- An act providing for an election in Marion county.
- An act to create the offices of police judge and town marshal in Cromwell, Ohio county.
- An act to amend the charter of Edmonton.
- An act to change the lines of magistrates' and election districts in Adair county.
- An act to distribute books to certain counties.
- An act for the benefit of common school commissioner of Daviess county.
- An act to create an additional justices' district and election precinct in Breckinridge county.
- An act to amend the charter of the Portland Savings Bank.
- An act for the benefit of William A. Sallee, of Pulaski county.
- An act for the benefit of George W. Lewis, Samuel C. Sayres, John M. Todd, and William D. Robertson.
- An act to amend an act approved February 11, 1860, in reference to school district No. 1, in Rockcastle county.
- An act for the benefit of the trustees of school district No. 37, in Ballard county.
- An act declaring Salt Lick creek, in Lewis county, a navigable stream.
- An act for the benefit of Charles J. Clarke, late clerk of the Louisville chancery court.
- An act to amend the charter of the North Middletown and Levy turnpike road company.
- An act to amend the charter of the Elizaville and Pleasant Valley turnpike road company.
- An act concerning the counties of Carter, Lawrence, Boyd, Greenup, and Ohio.
- An act to authorize the jailers of Hardin, Rockcastle, Webster, Carter, and Boone counties to appoint deputies.
- An act to change the county lines of Jackson and Rockcastle counties.
- An act to incorporate Louisville Lodge, No. 88, of Ancient German Order of Harugari, in Louisville.
- An act for the benefit of school district No. 59, in Logan county.

An act to amend the charter of the town of Cadiz.

An act to declare Clifty creek a navigable stream.

An act to incorporate the German Oak Lodge, No. 107, of Ancient German Order of Harugari.

Also, the following communication, viz:

EXECUTIVE DEPARTMENT,
April 4th, 1861. }

Gentlemen of the Senate:

I hereby nominate for your advice and consent the following appointments as staff officers: S. B. Buckner, Inspector General; Scott Brown, Adjutant General; M. D. West, Quarter-master General.

B. MAGOFFIN.

Ordered, That the Senate advise and consent to the nominations above made.

Also, the following communication, viz:

EXECUTIVE DEPARTMENT,
Frankfort, April 4th, 1861. }

Gentlemen of the Senate:

I nominate for your advice and consent W. C. Gillis, to be Notary Public for Whitley county.

B. MAGOFFIN.

Ordered, That the Senate advise and consent to the nomination above made.

Mr. Walton read and laid on the table the following joint resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That this present session be extended to 7 o'clock, A. M., Friday, 5th, and that no new business shall be introduced.

Under a suspension of the rules of the Senate, said resolution was taken up, twice read, and adopted.

The yeas and nays being demanded on the adoption of said resolution by Messrs. Marshall and Gillis, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|---------------------|-------------------|--------------------|
| William T. Anthony, | John L. Irvan, | Cyrenius Wait, |
| Alex. L. Davidson, | John M. Johnson, | E. Dudley Walker, |
| John F. Fisk, | C. D. Pennebaker, | C. J. Walton, |
| J. E. Gibson, | Albert G. Rhea, | W. C. Whitaker—14. |
| William C. Gillis, | Henry M. Rust, | |

Those who voted in the negative, were—

| | | |
|--------------------|--------------------|-----------------------|
| John B. Bruner, | Robert E. Glenn, | Thornton F. Marshall, |
| A. D. Cosby, | Samuel Haycraft, | L. H. Rousseau, |
| Samuel E. DeHaven, | Samuel H. Jenkins, | James Simpson—9. |

And so said resolution was adopted.

A message was received from the House of Representatives, announcing that they had passed Senate bills of the following titles, viz:

An act to change the lines of magistrates' and election districts in Adair county.

An act to provide for an election in Marion county.

An act for the benefit of George W. Lewis, Samuel C. Sayres, John M. Todd, and W. D. Robertson.

An act regulating the July term of the Mason circuit court.

An act to incorporate Louisville Lodge, No. 88, of Ancient German Order of Harugari.

An act to incorporate the Germania Lodge, No. 63, of Ancient German Order of Harugari.

An act to create the office of police judge and town marshal in Cromwell, Ohio county.

An act to incorporate Truisco Lodge, Ancient German Order of Harugari, No. 68.

An act to incorporate the German Oak Lodge of Ancient German Order of Harugari.

An act incorporating the Spencer and Shelby turnpike road company.

An act for the benefit of Henry Lucas.

An act for the benefit of J. R. Cargile, late sheriff of Hopkins county.

An act for the benefit of O. F. Rankin, of Kenton county.

An act for the benefit of school district No. 32, in Barren county.

An act for the benefit of school district No. 59, in Logan county.

An act declaring Clifty creek a navigable stream.

An act for the benefit of the towns of Shelbyville and Elkton.

An act for the benefit of Shelby and Spencer counties.

An act for the benefit of Thomas Basye, of Oldham county.

An act giving further time to delinquent common school districts to report.

An act for the benefit of the Louisville Courier Printing Company.

An act for the benefit of Prentice, Henderson, and Osborne.

An act for the benefit of Harney, Hughes & Co.

An act for the benefit of school district No 18, in Lincoln county.

An act to amend the charter of the town of Caseyville.

An act concerning the town of Woodsonville.

An act to amend the charter of Pitt's Point.

An act to amend an act to protect graves and grave-yards.

An act for the benefit of Wm. C. McGlasson and Polly Jessee, of Adair county.

An act for the benefit of school district No. 62, in Adair county.

Resolution fixing a day for final adjournment.

Resolution instructing the Superintendent of Public Instruction to digest the common school laws.

The Senate then took up for consideration the resolutions reported by Mr. Whitaker, from the select committee on the eleemosynary institutions of the State, as follows, viz:

Resolved, That a commissioner be appointed by the Governor to audit and settle the accounts and examine the vouchers of the eleemosynary institutions of this State, and make report annually to the Legislature of this State.

Resolved, That a commission of three persons be appointed by the Governor to examine and select a fit and suitable location for the re-erection of the Western Lunatic Asylum, and report to the meeting of the next Legislature of this State.

Mr. DeHaven moved to amend the first resolution by adding after the word "appointed," in the first line, the words "by the Governor."

Which was adopted.

Mr. DeHaven moved to amend the second resolution by adding the following, viz:

"And that the board of managers of the Western Lunatic Asylum at Hopkinsville be directed to expend no further amount of the appropriation made at this extra session of this Legislature, until said committee shall have reported."

Which was adopted.

Mr. Glenn offered the following as a substitute for the second resolution, viz:

Resolved, That a commission of three persons be appointed by the Governor to examine and select a fit and suitable location for the re-erection of the Western Lunatic Asylum, and report to the Governor; and if said commission report in favor of the present location at Hopkinsville, the Governor shall notify the board of managers of the fact, and they shall then proceed with the repairs already under contract; and should the commissioners decide in favor of another location, then the board of managers at Hopkinsville shall discontinue said re-construction.

The yeas and nays being required on said proposed amendment by Messrs. Glenn and Whitaker, were as follows, viz:

Those who voted in the affirmative, were—

| | | |
|--------------------|------------------|---------------------|
| A. D. Cosby, | J. E. Gibson, | John M. Johnson, |
| Alex. L. Davidson, | Robert E. Glenn, | E. Dudley Walker—6. |

Those who voted in the negative, were—

| | |
|---|--------------------|
| Mr. Speaker, (Porter,) William C. Gillis, | L. H. Rousseau, |
| William T. Anthony, Samuel Haycraft, | Henry M. Rust, |
| John B. Bruner, John L. Irvin, | James Simpson, |
| Samuel E. DeHaven, C. D. Pennebaker, | C. J. Walton, |
| John F. Fisk, Albert G. Rhea, | W. C. Whitaker—15. |

And so said amendment was rejected.

The first resolution, as amended, was then adopted.

The yeas and nays being required on adopting the second, by Messrs. Walker and Anthony, were as follows, viz:

Those who voted in the affirmative, were—

| | |
|---|--------------------|
| Mr. Speaker, (Porter,) William C. Gillis, | L. H. Rousseau, |
| W. T. Anthony, Samuel Haycraft, | Henry M. Rust, |
| John F. Fisk, Chas. D. Pennebaker, | C. J. Walton, |
| J. E. Gibson, Albert G. Rhea, | W. C. Whitaker—12. |

Those who voted in the negative, were—

| | |
|-------------------------------------|----------------------|
| John B. Bruner, Robert E. Glenn, | James Simpson, |
| A. D. Cosby, John L. Irvin, | Cyrenius Wait, |
| Alex. L. Davidson, John M. Johnson, | E. Dudley Walker—10. |
| Samuel E. DeHaven, | |

And so said resolution was adopted.

Mr. Gillis, from the Committee on Enrollments, reported that they had examined sundry enrolled Senate bills, of the following titles, viz:

An act to incorporate Germania Lodge, No. 63, of the Ancient German Order of Harugari.

An act to amend the charter of the North Middletown and Levy turnpike road company.

An act declaring Salt Lick Creek, in Lewis county, a navigable stream.

An act to amend the charter of the Elizaville and Pleasant Valley turnpike road company.

An act to amend an act, entitled "An act authorizing the county courts of Meade and Breckinridge counties to change a State road."

An act concerning the counties of Carter, Lawrence, Boyd, and Greenup.

An act for the benefit of common school district No. 37, in Ballard county.

An act to amend the charter of Edmonton.

An act to amend the charter of the Portland Savings Bank.

An act for the benefit of Shelby and Spencer counties.

An act to create an additional magistrates' district and election precinct in Breckinridge county.

An act to distribute books to certain counties.

An act for the benefit of the common school commissioner of Daviess county.

An act to amend an act approved February 11, 1860, in reference to school district No. 1, in Rockcastle county.

An act for the benefit of William A. Sallee, of Pulaski county.

An act to amend the charter of the Paducah Fire, Marine, and Life Insurance Company.

An act to change the lines of magistrates' and election districts in Adair county.

An act for the benefit of George W. Lewis, Sam. C. Sayres, John M. Todd, and W. D. Robertson.

An act to incorporate Truisco Lodge, Ancient Order of Harugari No. 68.

An act to provide for an election in Marion county.

An act regulating the July term of the Mason circuit court.

An act to create the offices of police judge and town marshal in Cromwell, Ohio county.

An act authorizing the Governor to draw his warrant on the Treasurer to pay for medals.

An act to incorporate the town of Nebo, in Hopkins county.

An act for the benefit of school district No. 59, in Logan county.

An act to declare Clifty creek a navigable stream.

An act to authorize the jailer of Hardin county to appoint a deputy.

An act to amend the charter of the town of Cadiz.

An act to incorporate Louisville Lodge, No. 88, of Ancient Order of Harugari.

An act to incorporate the German Oak Lodge of the Ancient Order of Harugari.

An act for the benefit of O. F. Rankin, of Kenton county.

An act for the benefit of the towns of Shelbyville and Elkton.

An act for the benefit of J. R. Cargile, late sheriff of Hopkins county.

An act incorporating the Spencer and Shelby turnpike road company.

An act for the benefit of school district No. 32, in Barren county.

An act for the benefit of Thomas Basye, of Oldham county.

A resolution authorizing the Superintendent of Public Instruction to digest common school laws.

Also, House bills of the following titles, viz:

An act to define the powers of circuit court clerks in certain cases.

An act authorizing the election of a police judge and marshal in the town of Leesburg, in Harrison county.

An act for the benefit of George T. Halbert, of Lewis county.

An act creating an additional justices' district and voting place in Floyd county.

An act for the benefit of A. C. Bowman, late sheriff of Breathitt county.

An act concerning the town of West Liberty, in Morgan county.

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An act to close a certain alley in the town of Campbellsville.

An act to repeal in part an act requiring the surveyors in the counties of Logan and Todd to keep their offices at the county seat.

An act for the benefit of Martha A. Corbin.

An act for the benefit of the trustees of district No. 5, Washington county.

An act authorizing trustees of common school districts in Whitley county to levy and collect a tax for building and repairing school-houses.

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- An act to incorporate Norma Grove, No. 2, United Ancient Order of Druids, in Newport.
- An act for the benefit of the city of Newport and the Campbells-ville turnpike company.
- An act fixing the time of holding the quarterly courts of Carter county.
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- An act to incorporate Hickman Lodge, No. 72, Independant Order of Odd Fellows.
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- An act to incorporate Salt River Lodge, No. 180, of Free and Accepted Masons.
- An act for the benefit of common school districts Nos. 26 and 36, in Webster county.
- An act for the benefit of Fanny Cerf.
- An act for the benefit of the mechanics of Daviess county.
- An act for the benefit of the proprietors and lessees of Mammoth Cave.

An act to aid in the construction of the Lexington and Southern Kentucky railroad company.

An act correcting courses of patent issued to Frederick M. Mauk, of Carter county, for fifty acres of land.

An act supplemental to an act, entitled "An act for the appropriation of money," approved February 11, 1861.

An act for the benefit of the sheriffs of Greenup and Lawrence counties.

An act for the benefit of Stephen J. England, late sheriff of Carter county.

An act to amend the militia laws.

An act to amend the charters of the several banks of issue.

An act for the benefit of school district No. 69, in Hardin county.

An act to carry into effect certain provisions of an act for the better organization of the militia.

An act to change the county line of Jackson and Rockcastle counties.

An act explanatory of an act approved February 15, 1860, entitled "An act providing for a settlement with Newton Craig, late keeper of the penitentiary."

An act for the benefit of Daniel Roberts, sheriff of Rockcastle county.

An act to amend the 16th section, article 12th, chapter 83, Revised Statutes.

An act to amend 1st section, 17th article, of the 28th chapter of the Revised Statutes, entitled "Crimes and Punishments."

An act in relation to county court clerks.

An act legalizing the conveyances made to R. S. C. Alexander for lands on the waters of Green river,

An act to make Georgiana Davenport, Mary Benton, and Henrietta Benton the heirs at law of James Ford.

An act for the benefit of E. B. Bartlett, late clerk of the Kenton circuit court.

An act allowing Larue county two additional magistrates and a constable.

And that the same were correctly enrolled.

Whereupon the Speaker affixed his signature to said bills, and the same were returned to the committee, to be by them presented to the Governor for his approval and signature.

And then the Senate adjourned.

FRIDAY, APRIL 5, 1861.

The Senate met pursuant to adjournment.

The following resolutions were offered, severally read, and adopted, viz:

By Mr. Johnson—

Resolved, That the thanks of the Senate be, and they are hereby, tendered to G. W. Lewis, Reporter for the Daily Commonwealth, for the honest, faithful, and impartial discharge of his duties.

By Mr. Walton—

Resolved, That the Speaker appoint a committee of three, to act in connection with a like committee of the House of Representatives, to inform the Governor that, having completed their legislative business, are now ready to adjourn.

By Mr. Haycraft—

Resolved, That the thanks of the Senate be, and they are hereby, tendered to Morgan B. Chinn, for the faithful manner in which he has discharged his duties as Sergeant-at-Arms of the Senate.

By same—

Resolved, That the thanks of the Senate be, and they are hereby, tendered to the pages of this Senate, for the prompt and efficient manner in which they have discharged the duties of their offices.

By same—

Resolved, That the thanks of the Senate are hereby tendered to the clergy of the city of Frankfort, for attending its daily meetings, and opening the same with prayer.

By Mr. Walton—

Resolved, That the thanks of the Senate are hereby tendered to Thomas Pierce, for the faithful and efficient manner in which he has discharged the duties of his office.

By same—

Resolved, That the thanks of the Senate be, and they are hereby, tendered to Samuel C. Sayres, Reporter for the Daily Yeoman, for the honest, faithful, and impartial discharge of his duties.

By same—

Resolved, That a committee of three be appointed by the Speaker of the Senate to inform the House of Representatives that the Senate have completed their legislative duties, and are now ready to adjourn.

The Speaker delivered the following valedictory, viz :
Gentlemen of the Senate :

The hour fixed by the joint action of both branches of this Legislature for final adjournment, is now at hand. Before parting, I trust you will excuse me if I avail myself of this opportunity of again expressing to you my heartfelt thanks for your unwearied kindness and courtesy to me. Whatever of success may have attended my efforts to discharge the duties imposed upon me by the responsible position in which you placed me, is attributable more to that kindness and courtesy, than to any superior qualifications that I possess for such a place.

After anxious deliberations for weeks, the result of which will, I hope, prove a blessing to us and to our race, by bringing back again all the scattered fragments of this once glorious Union in one common bond of interest and affection—we are about to separate, each one to return to his family and people. In the course of events, we may not meet again; and in this, to me, most solemn moment, it is with pain that I now say to all, to each one of you, and to the officers of this Senate who have so faithfully and patiently discharged their duties, farewell. May God's blessings be with you.

I now declare this Senate adjourned *sine die*.

PRIL 5.

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